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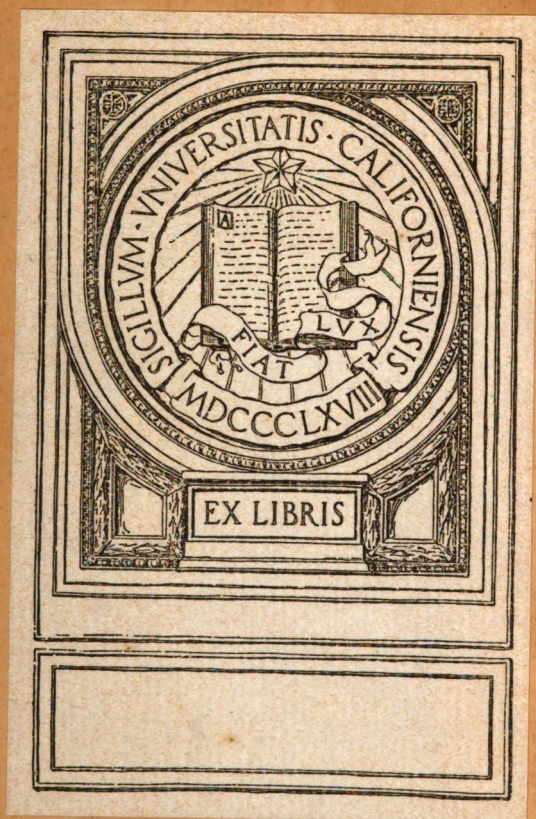
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To Peter A. Schenck  
From  
Wm. F. North





BOOK OF  
AN  
INQUIRY  
INTO THE  
ACCORDANCY OF WAR  
WITH THE  
PRINCIPLES OF CHRISTIANITY,  
AND  
AN EXAMINATION  
OF THE  
PHILOSOPHICAL REASONING  
BY WHICH IT IS DEFENDED:  
WITH  
OBSERVATIONS  
ON SOME OF  
THE CAUSES OF WAR,  
AND ON SOME OF  
ITS EFFECTS.  
BY JONATHAN DYMOND.

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CONTEMPT PRIOR TO EXAMINATION, HOWEVER COMFORTABLE TO THE MIND WHICH  
ENTERTAINS IT, OR HOWEVER NATURAL TO GREAT PARTS, IS EXTREMELY DANGE-  
ROUS; AND MORE APT THAN ALMOST ANY OTHER DISPOSITION, TO PRODUCE ER-  
RONEOUS JUDGMENTS BOTH OF PERSONS AND OPINIONS. PALEY.

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THIRD EDITION, CORRECTED AND ENLARGED.

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WILLIAM BROWN, PRINTER.

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1834.



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## PREFACE.

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**THE** object of the following pages, is to give a view of the principal arguments which maintain the indefensibility and impolicy of war, and to examine the reasoning which is advanced in its favour.

The author has not found, either in those works which treat exclusively of war, or in those which refer to it as part of a general system, any examination of the question that embraced it in all its bearings. In these pages, therefore, he has attempted, not only to inquire into its accordancy with christian principles, and to enforce the obligation of these principles, but to discuss those objections to the advocate of peace which are advanced by philosophy, and to examine into the authority of those which are enforced by the power of habit, and by popular opinion.

Perhaps no other apology is necessary for the intrusion of this essay upon the public, than that its subject is, in a very high degree, important. Upon such a subject as the slaughter of mankind, if there be a doubt, however indeterminate, whether Chris-

tianity does not prohibit it—if there be a possibility, however remote, that the happiness and security of a nation can be maintained without it, an examination of such possibility or doubt, may reasonably obtain our attention.—The advocate of peace is, however, not obliged to avail himself of such considerations: at least, if the author had not believed that much more than doubt and possibility can be advanced in support of his opinions, this inquiry would not have been offered to the public.

He is far from amusing himself with the expectation of a general assent to the truth of his conclusions. Some will probably dispute the rectitude of the principles of decision, and some will dissent from the legitimacy of their application. Nevertheless, he believes that the number of those whose opinions will accord with his own, is increasing, and will yet much more increase; and this belief is sufficiently confident, to induce him to publish an essay which will probably be the subject of contempt to some men, and of ridicule to others.—But ridicule and contempt are not potent reasoners.

“Christianity can only operate as an alterative. By the mild diffusion of its light and influence, the minds of men are insensibly prepared to perceive and correct the enormities, which folly, or wickedness, or accident, have introduced into their public

establishments.”\* It is in the hope of contributing, in a degree however unimportant or remote, to the diffusion of this light and influence, that the following pages have been written.

For the principles of this little volume, or for its conclusions, no one is responsible but the writer: they are unconnected with any society, benevolent or religious. He has not written it for a present occasion, or with any view to the present political state of Europe. A question like this, does not concern itself with the quarrels of the day.

It will perhaps be thought by some readers, that there is contained, in the following pages, greater severity of animadversion than becomes an advocate of peace. But, “let it be remembered, that to bestow good names on bad things, is to give them a passport in the world under a delusive disguise.”† The writer believes that wars are often supported, because the system itself, and the actions of its agents, are veiled in glittering fictions. He has therefore attempted to exhibit the nature of these fictions and of that which they conceal; and to state, freely and honestly, both what they are not, and what they are. In this attempt it has been difficult—perhaps it has not been possible—to avoid some appearance of severity: but he would beg the

\* Paley's Moral and Political Philosophy.

† Knox's Essays, No. 34.



reader always to bear in his recollection, that if he speaks with censure of any class of men, he speaks of them only as a class. He is far from giving to such censure an individual application: Such an application would be an outrage of all candour and all justice. If again, he speaks of war as *criminal*, he does not attach guilt, necessarily, to the profession of arms. He can suppose that many who engage in the dreadful work of human destruction, may do it without a consciousness of impropriety, or with a belief of its virtue. But truth itself is unalterable: whatever be our conduct, and whatever our opinions, and whether we perceive its principles or not, those principles are immutable; and the illustration of truth, so far as he has the power of discovering it, is the object of the Inquiry which he now offers to the public.

## I.

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### OBSERVATIONS ON THE CAUSES OF WAR.

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*Felix, qui potuit rerum cognoscere causas.*—Virg.

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IN the attempt to form an accurate estimate of the moral character of human actions and opinions, it is often of importance to inquire how they have been produced. [There is always great reason to doubt the rectitude of that, of which the causes and motives are impure ;] and if therefore, it should appear from the observations which follow, that some of the motives to war, and of its causes, are inconsistent with reason or with virtue, I would invite the reader to pursue the inquiry that succeeds them, with suspicion, at least, of the rectitude of our ordinary opinions.

There are some customs which have obtained so generally and so long, that what was originally an effect becomes a cause, and what was a cause becomes an effect, until, by the reciprocal influence of each,

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the custom is continued by circumstances so multiplied and involved, that it is difficult to detect them in all their ramifications, or to determine those to which it is principally to be referred.

† What were once the occasions of wars may be easily supposed.—Robbery, or the repulsion of robbers, was probably the only motive to hostility, until robbery became refined into ambition, and it was sufficient to produce a war that a chief was not content with the territory of his fathers. But by the gradually increasing complication of society from age to age, and by the multiplication of remote interests and obscure rights, the motives to war have become so numerous and so technical, that ordinary observation often fails to perceive what they are. They are sometimes known only to a cabinet, which is influenced in its decision by reasonings of which a nation knows little, or by feelings of which it knows nothing: so that of those who personally engage in hostilities, there is perhaps not often one in ten who can distinctly tell why he is fighting.



This refinement in the motives of war, is no trifling evidence that they are insufficient or bad. When it is considered how tremendous a battle is, how many it hurries in a moment from the world, how much wretchedness and how much guilt it produces, it would surely appear that nothing but *obvious* necessity should induce us to resort to it. But when, instead of a battle, we have a war with many battles,

and of course with multiplied suffering and accumulated guilt, the motives to so dreadful a measure ought to be such as to force themselves upon involuntary observation, and to be written, as it were, in the skies. If, then, a large proportion of a people are often without any distinct perception of the reasons why they are slaughtering mankind, it implies, I think, *prima facie* evidence against the adequacy or the justice of the motives to slaughter.

It would not, perhaps, be affectation to say, that of the reasons why we so readily engage in war, one of the principal is that we do not inquire into the subject. We have been accustomed, from earliest life, to a familiarity with all its "pomp and circumstance;" soldiers have passed us as at every step, and battles and victories have been the topic of every one around us. War, therefore, becomes familiarized to all our thoughts, and interwoven with all our associations. We have never inquired whether these things should be: the question does not even suggest itself. We acquiesce in it, as we acquiesce in the rising of the sun, without any other idea than that it is a part of the ordinary processes of the world. And how are we to feel disapprobation of a system that we do not examine, and of the nature of which we do not think? Want of inquiry has been the means by which long continued practices, whatever has been their enormity, have obtained the general concurrence of the world, and by which they have continued to pollute or degrade it,

long after the few who inquire into their nature, have discovered them to be bad. It was by these means that the Slave Trade was so long tolerated by this land of humanity. Men did not *think* of its iniquity. We were induced to think, and we soon abhorred and then abolished it. In the present moral state of the world, therefore, I believe it is the business of him who would perceive pure morality, to question the purity of that which now obtains.

— “The vices of another age,” says Robertson, astonish and shock us; the vices of our own become familiar, and excite little horror.”—“The influence of any national custom, both on the understanding on the heart, and how far it may go towards perverting or extinguishing moral principles of the greatest importance, is remarkable. They who [in 1566] had leisure to reflect and to judge, appear to be no more shocked at the crime of assassination, than the persons who committed it in the heat and impetuosity of passion.”\* Two hundred and fifty years have added something to our morality. We have learnt, at least, to abhor assassination; and I am not afraid to hope that the time will arrive when historians shall think of war, what Robertson thinks of murder, and shall endeavour like him, to account for the ferocity and moral blindness of their forefathers. For I do not think the influence of habit in the perversion or extinction of our moral principles, is in any other thing so

\* History of Scotland.

conspicuous or deplorable, as in the subject before us. They who are shocked at a single murder in the highway, hear with indifference of the murder of a thousand on the field. They whom the idea of a single corpse would thrill with terror, contemplate that of heaps of human carcasses, mangled by human hands, with frigid indifference. If a murder is committed, the narrative is given in the public newspaper, with many expressions of commiseration, with many adjectives of horror, and many hopes that the perpetrator will be detected. In the next paragraph the editor, perhaps, tells us that he has hurried a second edition to the press, in order that he may be the first to glad the public with the intelligence, that in an engagement which has just taken place, *eight hundred and fifty of the enemy were killed*. By war, the natural impulses of the heart seem to be suspended, as if a fiend of blood were privileged to exercise a spell upon our sensibilities, whenever we contemplated his ravages. Amongst all the shocking and all the terrible scenes the world exhibits, the slaughters of war stand pre-eminent; yet these are the scenes of which the compassionate and the ferocious, the good and the bad, alike talk with complacency or exultation.

England is a land of benevolence, and to human misery she is, of all nations, the most prompt in the extension of relief. The immolations of the Hindoos fill us with compassion or horror, and we are zealously labouring to prevent them. The sacrifices of life by our own criminal executions are the subject of our



anxious commiseration, and we are strenuously endeavouring to diminish their number. We feel that the life of a Hindoo or a malefactor is a serious thing, and that nothing but imperious necessity should induce us to destroy the one, or to permit the destruction of the other. Yet what are these sacrifices of life in comparison with the sacrifices of war? In the late campaign in Russia, there fell, during one hundred and seventy-three days in succession, an average of two thousand nine hundred men per day. More than five hundred thousand human beings in less than six months! And most of these victims expired with peculiar intensity of suffering. "Thou that teachest another, teachest thou not thyself?" We are carrying our benevolence to the Indies, but what becomes of it in Russia or at Leipsic? We are labouring to save a few lives from the gallows, but where is our solicitude to save them on the field? Life is life, where-soever it be sacrificed, and has every where equal claims to our regard. I am not now inquiring whether war is right, but whether we do not regard its calamities with an indifference with which we regard no others, and whether that indifference does not make us acquiesce in evils and in miseries which we should otherwise prevent or condemn.

Amongst the immediate causes of the frequency of war, there is one which is, indisputably, irreconcilable in its nature with the principles of our religion. I speak of the critical sense of national pride, and conse-

quent aptitude of offence, and violence of resentment.

National irritability is at once a cause of war, and an effect. It disposes us to resent injuries with bloodshed and destruction ; and a war, when it is begun, inflames and perpetuates the passions that produced it. Those who wish a war, endeavour to rouse the spirit of a people by stimulating their passions. They talk of the insult, or the encroachments, or the contempts of the destined enemy, with every artifice of aggravation ; they tell us of foreigners who want to trample upon our rights, of rivals who ridicule our power, of foes who will crush, and of tyrants who will enslave us. These men pursue their object, certainly, by efficacious means ; they desire a war, and therefore irritate our passions, knowing that when men are angry they are easily persuaded to fight.

In this state of irritability, a nation is continually alive to occasions of offence—and when we seek for offences, we readily find them. A jealous sensibility sees insults and injuries where sober eyes see nothing ; and nations thus surround themselves with a sort of artificial tentacula, which they throw wide in quest of irritation, and by which they are stimulated to revenge, by every touch of accident or inadvertency.

He that is easily offended will also easily offend. The man who is always on the alert to discover trespasses on his honour or his rights, never fails to quarrel with his neighbours. Such a person may be dreaded as a torpedo. We may fear, but we shall not love him ;

and fear, without love, easily lapses into enmity. There are, therefore, many feuds and litigations in the life of such a man, that would never have disturbed its quiet, if he had not captiously snarled at the trespasses of accident, and savagely retaliated insignificant injuries. The viper that we chance to molest, we suffer to live if he continue to be quiet ; but if he raise himself in menaces of destruction, we knock him on the head.

It is with nations as with men. If, on every offence we fly to arms, and raise the cry of blood, we shall of necessity provoke exasperation ; and if we exasperate a people as petulant and bloody as ourselves, we may probably continue to butcher one another, until we cease only from emptiness of exchequers, or weariness of slaughter. To threaten war, is therefore often equivalent to beginning it. In the present state of men's principles, it is not probable that one nation will observe another levying men, and building ships, and founding cannon, without providing men, and ships, and cannon themselves ; and when both are thus threatening and defying, what is the hope that there will not be a war ?

It will scarcely be disputed that we should not kill one another unless we cannot help it. Since war is an enormous evil, some sacrifices are expedient for the sake of peace ; and if we consulted our understandings more and our passions less, we should soberly balance the probabilities of mischief, and inquire whether it

be not better to endure some evils that we can estimate, than to engage in a conflict of which we can neither calculate the mischief, nor foresee the event; which may probably conduct us from slaughter to disgrace, and which at last is determined, not by justice, but by power. Pride may declaim against these sentiments; but my business is not with *pride*, but with *reason*: and I think reason determines that it would be more wise, and religion that it would be less wicked, to diminish our punctiliousness and irritability. If nations fought only when they could not be at peace, there would be very little fighting in the world. The wars that are waged for "insults to flags," and an endless train of similar motives, are perhaps generally attributable to the irritability of our pride. We are at no pains to appear pacific towards the offender: our remonstrance is a threat; and the nation, which would give satisfaction to an *inquiry*, will give no other answer to a menace than a menace in return. At length we begin to fight, not because we are aggrieved, but because we are angry.

The object of the haughtiness and petulance which one nation uses towards another, is of course to produce some benefit; to awe into compliance with its demands, or into forbearance from aggression. Now it ought to be distinctly shown, that petulance and haughtiness are more efficacious than calmness and moderation—that an address to the passions of a probable enemy is more likely to avert mischief from

ourselves, than an address to their reason and their virtue. Nations are composed of men, and of men with human feelings. Whether with individuals or with communities, "a soft answer turneth away wrath." There is, indeed, something in the calmness of reason—in an endeavour to convince rather than to intimidate—in an honest solicitude for friendliness and peace, which obtains, which commands, which extorts forbearance and esteem. This is the privilege of rectitude and truth. It is an inherent quality of their nature; an evidence of their identity with perfect wisdom. I believe, therefore, that even as it concerns our *interests*, moderation and forbearance would be the most politic. And let not our *duties* be forgotten; for forbearance and moderation are duties, absolutely and indispensably imposed upon us by Jesus Christ.

✓ The "Balance of Power" is a phrase with which we are made sufficiently familiar, as one of the great objects of national policy, that must be attained, at whatever cost of treasure or of blood. The support of this balance, therefore, is one of the great purposes of war, and one of the great occasions of its frequency.

It is, perhaps, not idle to remark, that a balance of power amongst nations, is inherently subject to continual interruption. If all the countries of Europe were placed on an equality to-day, they would of necessity become unequal to-morrow. This is the inevitable tendency of human affairs. Thousands of cir-

cumstances which sagacity cannot foresee, will continually operate to destroy an equilibrium. Of men, who enter the world with the same possessions and the same prospects, one becomes rich and another poor; one harangues in the senate and another labours in a mine; one sacrifices his life to intemperance and another starves in a garret. How accurately soever we may adjust the strength and consequence of nations to each other, the failure of one harvest, the ravages of one tempest, the ambition of one man, may unequalize them in a moment. It is, therefore, not a trifling argument against this anxious endeavour to attain an equipoise of power, to find that no equipoise can be maintained. When negotiation has followed negotiation, and treaty has been piled upon treaty, and war has succeeded to war—the genius of a Napoleon, or the fate of an armada, nullifies our labours without the possibility of prevention. I do not know how much nations have gained by a balance of power, but it is worth remembrance that some of those countries which have been most solicitous to preserve it, have been most frequently fighting with each other. How many wars has a balance of power prevented, in comparison with the number that have been waged to maintain it?

It is, indeed, deplorable enough, that such a balance is to be desired; and that the wickedness and violence of mankind are so great, that nothing can prevent them from destroying one another, but an equality of the



means of destruction. In such a state of malignity and outrage, it need not be disputed, that, if it could be maintained, an equality of strength is sufficiently desirable—as tigers may be restrained from tearing one another by mutual fear, without any want of savageness. It should be remembered, then, that whatever can be said in favour of a balance of power, can be said only because we are wicked; that it derives all its value from our crimes; and that it is wanted only to restrain the outrage of our violence, and to make us contented to growl, when we should otherwise fight.

Wars are often promoted from considerations of interest, as well as from passion. The love of gain adds its influence to our other motives to support them, and without other motives, we know that this love is sufficient to give great obliquity to the moral judgment, and to tempt us to many crimes. During a war of ten years, there will always be many whose income depends on its continuance; and a countless host of commissaries and purveyors, and agents, and mechanics, commend a war, because it fills their pockets. These men have commonly but one question respecting a war, and that is,—whether they get by it. This is the standard of their decision, and this regulates the measure of their support. If money is in prospect, the desolation of a kingdom is of little concern: destruction and slaughter are not to be put in competition with a hundred a year. In truth it

seems to be the system of the conductors of a war, to give to the sources of gain every possible ramification. The more there are who profit by it, the more numerous will be its supporters; and thus the wishes of the cabinet become united with the avarice of the people, and both are gratified in slaughter and devastation.

A support more systematic and powerful, is however, given to war, because it offers to the higher ranks of society, a profession which unites gentility with profit, and which without the *vulgarity* of trade, maintains or enriches them. It is of little consequence to inquire whether the distinction of vulgarity between the toils of war and the toils of commerce, be fictitious. In the abstract, it is fictitious; but of this species of reputation public opinion holds the *arbitrium, et jus, et norma*—and public opinion is in favour of war.

The army and the navy therefore afford to the middle and higher classes, a most acceptable profession. The profession of arms is like the profession of law or physic—a regular source of employment and profit. Boys are educated for the army, as they are educated for the bar; and parents appear to have no other idea than that war is part of the business of the world. Of *younger sons*, whose fathers do not choose to support them at the expense of the heir, the army and the navy are the common resource. They would not know what to do without them. To many of these, the news of a peace becomes a calamity: Principle is

not powerful enough to cope with interest: They prefer the desolation of the world, to the loss of a colonelcy. It is in this manner that much of the rank, the influence, and the wealth of a country become interested in the promotion of wars; and when a custom is promoted by wealth, and influence, and rank, what is the wonder that it should be continued?

Yet it is a dreadful consideration that the destruction of our fellows should become a business by which to live; and that a man can find no other occupation of gain, than that of butchering his neighbours. It is said, (if my memory serves me, by Sir Walter Raleigh,) "he that taketh up his rest to live by this profession, shall hardly be an honest man."—"Where there is *no obligation to obey*," says Lord Clarendon, "it is wonderful, and an unnatural appetite, that disposes men to be soldiers, that they may know how to live; and what reputation soever it may have in politics, it can have none in religion, to say, that the art and conduct of a soldier is not infused by nature, but by study, experience, and observation; and therefore that men are to *learn it*:—when, in truth, *this common argument is made by appetite to excuse, and not by reason to support*, an ill custom."\* People do not often become soldiers in order to serve their country, but to serve themselves. An income is com-

\* Lord Clarendon's Essays.

monly the motive to the great, and idleness to the poor. To plead the love of our country is therefore hypocrisy; and let it be remembered that hypocrisy is itself an evidence, and an acknowledgment, that the motive which it would disguise, is bad.

By depending upon war for a subsistence, a powerful inducement is given to desire it; and I would submit it to the conscientious part of the profession, that he who desires a war for the sake of its profits, has lost something of his virtue: he has, at least, enlisted one of the most influential of human propensities against it, and when the prospect of gratification is before him—when the question of a war is to be decided—it is to be feared that he will suffer the whispers of interest to prevail, and that humanity, and religion, and his conscience will be sacrificed to promote it. But whenever we shall have learnt the nature of pure christianity, and have imbibed its dispositions, we shall not be willing to avail ourselves of such a horrible source of profit; nor to contribute to the misery, and wickedness, and destruction of mankind, in order to avoid a false and foolish shame.

It is frequently in the power of individual statesmen to involve a people in a war. "Their restraints," says Knox, "in the pursuit of political objects, are not those of morality and religion, but solely reasons of state, and political caution. Plausible words are used, but they are used to hide the deformity of the real principles. Wherever war is deemed desirable

in an interested view, a specious pretext never yet remained unfound ;”\*—and “when they have once said what they think convenient, how untruly soever, they proceed to do what they judge will be profitable, how unjustly soever; and this, men very absurdly and unreasonably, would have called *reason of state*, to the discredit of all solid reason, and all rules of probity.”† Statesmen have two standards of morality—a social and a political standard. Political morality embraces all crimes; except, indeed, that it has that technical virtue which requires that he who may kill a hundred men with bullets, should not kill one with arsenic. And from this double system of morals it happens, that statesmen who have no restraint to political enormities but political expediency, are sufficiently amiable in private life.—But “probity,” says Bishop Watson, “is an uniform principle; it cannot be put on in our private closet, and put off in the council-chamber or the senate:” and I fear that he who is wicked as a statesman, if he be good as a man, has some other motive to goodness than its love—that he is decent in private life because it is not *expedient* that he should be flagitious. It cannot be hoped that he has much restraint from principle. I believe, however, the time will come, when it will be found that God has instituted but one standard of morality, and that to that standard is required the universal conformity, of nations, and of men.

\* Knox's Essays.

† Lord Clarendon's Essays.

Of the wars of statesmen's ambition, it is not necessary to speak, because no one, to whom the world will listen, is willing to defend them.

But statesmen have, besides ambition, many purposes of nice policy which make wars convenient; and when they have such purposes, they are cool speculators in blood. They who have many dependents have much patronage, and they who have much patronage have much power. By a war, thousands become dependent on a minister; and if he be disposed, he can often pursue schemes of guilt, and intrench himself in unpunished wickedness, because the war enables him to silence the clamour of opposition by an office, and to secure the suffrages of venality by a bribe. He has therefore many motives to war, in ambition that does not refer to conquest; or in fear, that extends only to his office or his pocket: and fear or ambition, are sometimes more interesting considerations than the happiness and the lives of men. Or perhaps he wants to immortalize his name by a splendid administration; and he thinks no splendour so great as that of conquest and plunder. Cabinets have, in truth, many secret motives of wars of which the people know little. They talk in public of invasions of right, of breaches of treaty, of the support of honour, of the necessity of retaliation, when these motives have no influence on their determinations. Some untold purpose of expediency, or the private quarrel of a prince, or the pique or anger of a minister, are often



the real motives to a contest, whilst its promoters are loudly talking of the honour or the safety of the country. The motives to war are indeed without end to their number, or their iniquity, or their insignificance. What was the motive of Xerxes in his invasion of Greece?

It is to be feared that the world has sometimes seen the example of a war, begun and prosecuted for the simple purpose of appeasing the clamours of a people by diverting their attention :

“ I well might lodge a fear  
To be again displaced ; which, to avoid,  
I cut them off, and had a purpose now  
To lead out many to the Holy Land,  
Lest rest and lying still might make them look  
Too near into my state. Therefore, my Harry,  
Be it thy course to busy giddy minds  
With foreign quarrels ; that action hence borne out  
May waste the memory of former days.”

When the profligacy of a minister, or the unpopularity of his measures, has excited public discontent, he can perhaps find no other way of escaping the resentment of the people, than by thus making them forget it. He therefore discovers a pretext for denouncing war on some convenient country, in order to divert the indignation of the public from himself to their new-made enemies. Such wickedness has existed, and may exist again. Surely it is nearly the climax of possible iniquity. I know not whether the records of human infamy present another crime of such enormous,

or such abandoned wickedness. A monstrous profligacy or ferocity that must be, which, for the sole purpose of individual interest, enters its closet, and coolly fabricates pretences for slaughter; that quietly contrives the exasperation of the public hatred, and then flings the lighted brands of war amongst the devoted and startling people.

✓ The public, therefore, whenever a war is designed; should diligently inquire into the motives of engaging in it. It should be an inquiry that will not be satisfied with idle declamations on indeterminate dangers, and that is not willing to take any thing upon trust. The public should see the danger for themselves; and if they do not see it, should refuse to be led, blindfold, to murder their neighbours. This, we think, is the public duty, as it is certainly the public interest. It implies a forgetfulness of the ends and purposes of government, and of the just degrees and limitations of obedience, to be hurried into so dreadful a measure as a war, without knowing the reason, or asking it. A people have the power of prevention, and they ought to exercise it. Let me not, however, be charged with recommending violence or resistance. The power of preventing war, consists in the power of *refusing to take part in it*. This is the mode of opposing political evil, which christianity permits, and, in truth, requires. And as it is the most christian method, so, as it respects war, it were certainly the

most efficacious ; for it is obvious that war cannot be carried on without the co-operation of the people.

But I believe the greatest cause of the popularity of war, and of the facility with which we engage in it, consists in this ; that an idea of glory is attached to military exploits, and of honour to the military profession. Something of elevation is supposed to belong to the character of the soldier ; whether it be that we involuntarily presume his personal courage ; or that he who makes it his business to defend the rest of the community, acquires the superiority of a protector ; or that the profession implies an exemption from the laborious and the “ meaner ” occupations of life. There is something in war, whether phantom or reality, which glitters and allures ; and the allurements are powerful, since we see that it induces us to endure hardships and injuries, and expose life to a continual danger. Men do not become soldiers because life is indifferent to them, but because of some extrinsic circumstances which attach to the profession ; and some of the most influential of these circumstances are the fame, the spirit, the honour, the glory, which mankind agree to belong to the warrior. The glories of battle, and of those who perish in it, or who return in triumph to their country, are favorite topics of declamation with the historian, the biographer, and the poet. They have told us a thousand times of *dying heroes*, who “ resign their lives amidst the joys of conquest, and filled with England’s glory, smile in death ; ” and thus

every excitement that eloquence and genius can command, is employed to arouse that ambition of fame which can be gratified only at the expense of blood.

There are many ways in which a soldier derives pleasure from his profession. A military officer\* when he walks the street, is an object of *notice*; he is a man of *spirit*, of *honour*, of *gallantry*: wherever he be, he is distinguished from ordinary men; he is an acknowledged *gentleman*. If he engage in battle, he is *brave* and *noble*, and *magnanimous*: If he be killed, he has *died for his country*; he has *closed his career with glory*. Now all this is agreeable to the mind; it flatters some of its strongest and most pervading passions; and the gratification which these passions derive from war, is one of the great reasons why men so willingly engage in it.

Now we ask the question of a man of reason, What is the foundation of this fame and glory?—We profess that according to the best of our powers of discovery, no solid foundation can be found. Upon the foundation, whatever it be, an immense structure is however raised—a structure so vast, so brilliant, so attractive, that the greater portion of mankind are content to gaze in admiration, without any inquiry into its basis, or any solicitude for its durability.—If, however, it should be, that the gorgeous temple will

\* These observations apply also to the naval profession; but I have in this passage, as in some other parts of the Essay, mentioned only *soldiers*, to prevent circumlocution.

be able to stand only till christian truth and light become predominant, it surely will be wise of those who seek a niche in its apartments as their paramount and final good, to pause ere they proceed. If they desire a reputation that shall outlive guilt and fiction, let them look to the basis of military fame. If this fame should one day sink into oblivion and contempt, it will not be the first instance in which wide spread glory has been found to be a glittering bubble, that has burst, and been forgotten. Look at the days of chivalry. Of the ten thousand Quixotes of the middle ages, where is now the honour or the name? Yet poets once sang their praises, and the chronicler of their achievements believed he was recording an everlasting fame. Where are now the glories of the tournament? Glories

“Of which all Europe rung from side to side.”

Where is the champion whom princesses caressed, and nobles envied? Where are now the triumphs of Duns Scotus, and where are the folios that *perpetuated* his fame?—The glories of war have indeed outlived these: Human passions are less mutable than human follies; but I am willing to avow my conviction that these glories are alike destined to sink into forgetfulness; and that the time is approaching, when the applauses of heroism, and the splendours of conquest, will be remembered only as follies and iniquities that are past.—Let him who seeks for fame, other than that which an era of christian purity will allow,—

make haste ; for every hour that he delays its acquisition will shorten its duration. This is certain if there be certainty in the promises of Heaven.

In inquiring into the foundation of military glory, it will be borne in mind, that it is acknowledged by our adversaries, that this glory *is not recognized by Christianity*. No part of the heroic character, says one of the great advocates of war, is the subject of the "commendation or precepts or example" of Christ ; but the character and dispositions most opposite to the heroic, are the subject of them all.\* This is a great concession ; and it surely is the business of christians, who are sincere in their profession, to doubt the purity of that "glory" and the rectitude of that "heroic character," which it is acknowledged that their Great Instructor, never in any shape countenanced, and often obliquely condemned.

If it be attempted to define *why* glory is allotted to the soldier, we suppose that we shall be referred to his skill, or his bravery, or his patriotism.

Of *skill* it is not necessary to speak, since very few have the opportunity of displaying it. The business of the great majority is only obedience ; and obedience of that sort which almost precludes the exercise of talent.

The rational and immortal being, who raises the

\* Dr. Paley.

"Christianity quite annihilates the disposition for martial glory."—*Bishop Watson*.

edifice of his fame on simple *bravery*, has chosen but an unworthy and a frail foundation. Separate bravery from motives and purposes, and what will remain but that which is possessed by a mastiff or a game-cock? All just, all rational, and we will venture to affirm, all permanent reputation, refers to the mind or to virtue; and what connexion has animal power or animal hardihood with intellect or goodness? I do not decry *courage*. I know that He who was better acquainted than we are with the nature and worth of human actions, attached much value to courage—but he attached none to bravery.—Courage He recommended by his precepts, and enforced by his example:—Bravery he never recommended at all. The wisdom of this distinction, and its accordancy with the principles of his religion, are plain. Bravery requires the existence of many of those dispositions which he disallowed. Animosity, resentment, the desire of retaliation, the disposition to injure and destroy, all this is necessary to bravery; but all this is incompatible with christianity. The courage which christianity requires, is, to bravery, what fortitude is to daring—an effort of the mind rather than of the spirits. It is a calm, steady determinateness of purpose, that will not be diverted by solicitation, or awed by fear. “Behold, I go bound in the spirit unto Jerusalem, not knowing the things that shall befall me there, save that the Holy Ghost witnesseth in every city, saying, that bonds and afflictions abide me. *But*

*none of these things move me ; neither count I my life dear unto myself.*"\* What resemblance has bravery to courage like this? This courage is a virtue and a virtue which it is difficult to acquire or to practise: and we have, therefore, heedlessly or ingeniously, transferred its praise to another quality, which is inferior in its nature, and easier to acquire, in order that we may obtain the reputation of virtue at a cheap rate. That simple bravery implies much merit, it will be difficult to show—at least, if it be meritorious, we think it will not always be easy in awarding the honours of a battle, to determine the preponderance of virtue between the soldier and the horse which carries him.

But *patriotism* is the great foundation of the soldier's glory. Patriotism is the universal theme. To "fight nobly for our country;"—to "fall, covered with glory, in our country's cause;"—to "sacrifice our lives for the liberties, and laws and religion of our country"—are phrases in the mouth of every man.—What do they mean, and to whom do they apply?

We contend that to say generally of those who perish in war, that "they have died for their country," is simply untrue; and for this simple reason, that they did not fight for it. To impugn the notion of ages, is perhaps a hardy task: but we wish to employ not dogmatism but argument: and we maintain that men

\* Acts xx. 22.



have commonly no such purity of motive, that they have no such patriotism. What is the officer's motive to entering the army? We appeal to himself.—Is it not *that he may obtain an income?* And what is the motive of the private? Is it not *that he prefers a life of idleness to industry*, or that he had no wish but *the wish for change?*—Having entered the army, what, again, is the soldier's motive to fight? Is it not that fighting is a part of his business—that it is one of the conditions of his servitude?—We are not now saying that these motives are bad, but we are saying that they *are* the motives,—and that patriotism is *not*. Of those who fall in battle, is there one in a hundred who even thinks of his country's good? He thinks, perhaps, of its glory, and of the honour of his regiment, but for his country's advantage or welfare, he has no care and no thought. He fights, because fighting is a matter of course to a soldier, or because his personal reputation is at stake, or because he is compelled to fight, or because he thinks nothing at all of the matter; but seldom, indeed, because he wishes to benefit his country. He fights in battle, as a horse draws in a carriage, because he is compelled to do it, or because he has done it before; but he seldom thinks more of his country's good, than the same horse, if he were carrying corn to a granary, would think he was providing for the comforts of his master.

And indeed, if the soldier speculated on his country's good, he often cannot tell how it is affected by

the quarrel. Nor is it to be expected of him that he should know this. When there is a rumour of a war, there is an endless diversity of opinions as to its expediency, and endless oppositions of conclusion, whether it will tend more to the good of the country, to prosecute or avoid it. If senators and statesmen cannot calculate the good or evil of a war, if one promises advantages and another predicts ruin, how is the soldier to decide? And without deciding and promoting the *good*, how is he to be patriotic? Nor will much be gained by saying, that questions of policy form no part of his business, and that he has no other duty than obedience; since this is to reduce his agency to the agency of a machine: and moreover, by this rule, his arms might be directed, indifferently, to the annoyance of another country, or to the oppression of his own. The truth is, that we give to the soldier, that of which we are wont to be sufficiently sparing—a *gratuitous* concession of merit. In ordinary life, an individual maintains his individual opinions, and pursues correspondent conduct, with the approbation of one set of men, and the censures of another.—One party says, he is benefiting his country, and another maintains that he is ruining it. But the soldier, for whatever he fights, and whether really in promotion of his country's good, or in opposition to it, is always a patriot, and is always secure of his praise. If the war is a national calamity, and was foreseen to be such, still he *fights for his country*: If his judgment

has decided against the war, and against its justice or expediency, still he *fights for his country*. He is always virtuous:—If he but uses a bayonet, he is always a patriot.

*To sacrifice our lives for the liberties, and laws, and religion of our native land*, are undoubtedly high-sounding words:—but who are they that will do it? Who is it that will sacrifice his life for his country? Will the senator who supports a war? Will the writer who declaims upon patriotism? Will the minister of religion who recommends the sacrifice?—Take away glory—take away *war*, and there is not a man of them who will do it. Will you sacrifice your life at *home*?—If the loss of your life in London or at York, would procure just so much benefit to your country, as the loss of one soldier in the field, would you be willing to lay your head upon the block? Are you willing to die without notice and without remembrance; and for the sake of this little undiscoverable contribution to your country's good. You would, perhaps, die to *save* your country; but this is not the question. A soldier's death does not save his country. The question is, whether, without any of the circumstances of war, without any of its glory or its pomp, you are willing to resign yourself to the executioner. If you are not, you are not willing to die for your country: And there is not an individual amongst the thousands who declaim upon patriotism, who is willing to do it. He will lay down his life, indeed—but it must be in war:

He is willing to die—but it is not for patriotism, but for glory.

The argument we think is clear—that patriotism is NOT the motive ; and that in no rational use of language can it be said that the soldier “ dies for his country.” Men will not sacrifice their lives at all, unless it be in war, and they do not sacrifice them in war from motives of patriotism.\*

What then is the foundation of military fame? Is it bravery? Bravery has little connection with reason, and less with religion: Intellect may despise, and christianity condemns it. Is it patriotism? Do we refer to the soldiers motives and purposes? If we do,

\* We know that there may be, and have been, cases in which the soldier possesses purer motives. An invasion may rouse the national patriotism and arm a people for the unmingled purpose of defending themselves. Here is a definite purpose, a purpose which every individual understands and is interested in : and if he die under such circumstances, we do not deny that his motives are patriotic. The actions to which they prompt, are, however, a separate consideration, and depend for their qualities on the rectitude of war itself. Motives may be patriotic, when actions are bad. I might, perhaps, benefit my country by blowing up a fleet, of which the cargo would injure our commerce: My motive may be patriotic, but my action is vicious.

It is not sufficiently borne in mind, that patriotism, even much purer than this, is not necessarily a virtue. “Christianity,” says Bishop Watson, “does not encourage particular patriotism, in opposition to general benignity.” And the reason is easy of discovery. Christianity is designed to benefit, not a community, but the world. If it unconditionally encouraged particular patriotism, the duties of a subject of one state would often be in opposition to those of a subject of another. Christianity, however knows no such inconsistencies: And whatever patriotism therefore is opposed, in its exercise, to the *general welfare of mankind*, is, in no degree, a virtue.

he is not necessarily, or often, a Patriot.—It was a common expression amongst sailors, and, perhaps, may be so still—“ I hate the French, because they are slaves, and wear wooden shoes.”—This was the sum of their reasonings and their patriotism ; and I do not think the mass of those who fight on land, possess a greater.

Crimes should be traced to their causes; and guilt should be fixed upon those who occasion, although they may not perpetrate them. And to whom are the frequency and the crimes of war to be principally attributed? To the directors of public opinion to the declaimers upon glory :—to men who sit quietly at home, in their studies and at their desks; to the historian and the biographer, and the poet, and the moral philosopher ; to the pamphleteer ; to the editor of the newspaper ; to the teacher of religion. One example of declamation from the pulpit, I would offer to the reader :—“ Go then, ye defenders of your country ; advance, with alacrity, into the field, where God himself musters the hosts to war. Religion is too much interested in your success, not to lend you her aid. She will shed over this enterprise her selectest influence. —I cannot but imagine, the virtuous heroes, legislators, and patriots, of every age and country, are bending from their elevated seats to witness this contest, as if they were incapable, till it be brought to a favourable issue, of enjoying their eternal repose. Enjoy that repose, illustrious immortals ! Your mantel fell when

you ascended, and thousands, inflamed with spirit, and impatient to tread in your steps, are ready to swear by Him that sitteth upon the throne, and liveth for ever and ever, they will protect freedom in her last asylum, and never desert that cause which you sustained by your labors, and cemented with your blood. And thou, sole Ruler among the children of men, to whom the shields of the earth belong,—Gird on thy sword, thou most Mighty: Go forth with our hosts in the day of battle! Impart, in addition to their hereditary valour, that confidence of success which springs from thy presence! Pour into their hearts the spirit of departed heroes! Inspire them with thine own; and while led by thine hand, and fighting under thy banners, open thou their eyes to behold in every valley, and in every plain, what the prophet beheld by the same Illumination—chariots of fire, and horses of fire. Then shall the strong man be as tow, and the maker of it as a spark; and they shall both burn together, and none shall quench them!”\* Of such irreverence of language, employed to convey such violence of sentiment, the world, I hope, has had few examples. Oh! how unlike another exhortation—“Put on mercies, kindness, humbleness of mind, meekness, long suffering, forbearing one another, and forgiving one another, if any man have a quarrel against any.”†

\* “The sentiments proper to the Present Crisis.—A Sermon, preached October 19, 1803, by Robert Hall, A. M.”

† Nor is the preacher inconsistent with *Apostles* alone, He is also inconsistent

"As long as mankind," says Gibbon, "shall continue to bestow more liberal applause on their destroyers than on their benefactors, the thirst of military glory will ever be the vice of the most exalted characters."\* "'Tis strange to imagine," says the Earl of Shaftesbury, "that war, which of all things appears the most savage, should be the passion of the most heroic spirits."—But he gives us the reason.—"By a small *misguidance of the affection*, a lover of mankind becomes a ravager; a hero and deliverer becomes an oppressor and destroyer."† This is the "vice," and this is the "misguidance," which we say, that a large proportion of the writers of every civilized country are continually occasioning and promoting; and thus, without, perhaps, any purpose of mischief,

with himself. In another discourse, delivered in the preceding year, he says:—"The safety of nations is *not to be sought in arts or in arms*.—War reverses, with respect to its objects, *all the rules of morality*. It is nothing less than a temporary repeal of *all the principles of virtue*. It is a system, out of which almost all the virtues are excluded, and in which nearly all the vices are incorporated.—In instructing us to consider a portion of our fellow creatures as the proper objects of enmity, it removes, as far as they are concerned, the basis of all society, of all civilization and virtue; for the basis of these, is the good will due to every individual of the species."—"Religion," then, we are told, "sheds its selectest influence" over that, which repeals all the principles of virtue"—over that, "in which nearly all the vices are incorporated"! What "Religion" it is which does this, I do not know,—but I know that it is not the Religion of Christ.—Truth never led into contradictions like these. Well was it said that we cannot serve two masters. The quotations which we have given, are evidence sufficient that he who holds with the one, neglects the other.

\* Decline and Fall.

† Essay on the Freedom of Wit and Humour.

they contribute more to the destruction of mankind than rapine or ambition. A writer thinks, perhaps, that it is not much harm to applaud bravery. The divergency from virtue may, indeed, be small in its beginning, but the effect of his applauses proceeds in the line of obliquity, until it conducts, at last, to every excess of outrage, to every variety of crime, to every mode of human destruction.

There is one species of declamation on the glories of those who die in battle, to which I would beg the notice of the reader. We are told that when the last breath of exultation and defiance is departed, *the intrepid spirit rises triumphantly from the field of glory to its kindred heavens*. What the hero has been on earth, it matters not: if he dies by a musket ball, he enters heaven in his own right. All men like to suppose that they shall attain felicity at last; and to find that they can attain it without goodness and in spite of vice, is doubtless peculiarly solacing. The history of the hero's achievements wants, indeed, a completeness without it; and this gratuitous transfer of his soul to heaven, forms an agreeable conclusion to his story.

I would be far from "dealing damnation round the land," and undoubtingly believe that of those who fall in battle, many have found an everlasting resting-place. But an indiscriminate consignment of the brave to felicity, is certainly unwarranted; and if wickedness consists in the promotion of wickedness, it is wicked too.

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If we say in positive and glowing language, of men indiscriminately, and therefore of the bad, that they *rise on the wings of ecstasy to heaven*, we do all that language can do in the encouragement of profligacy. The terrors of religion *may* still be dreaded ; but we have, at least, to the utmost of our power, diminished their influence. The mind willingly accepts the assurance, or acquiesces in the falsehood which it wishes to be true ; and in spite of all their better knowledge, it may be feared that some continue in profligacy, in the doubting hope that what poets and historians tell them, may not be a fiction.

Perhaps the most operative encouragement which these declamations give to the soldier's vices, is contained in this circumstance—that they manifest that public opinion does not hold them in abhorrence. Public opinion is one of the most efficacious regulators of the passions of mankind ; and upon the soldier this rein is peculiarly influential. His profession and his personal conduct derive almost all their value and their reputation from the opinion of the world, and from that alone. If, therefore, the public voice does not censure his vices—if, in spite of his vices, it awards him everlasting happiness, what restraint remains upon his passions, or what is the wonder if they be not restrained ?

The peculiar application of the subject to our purpose is, however, that these and similar representations are motives to the profession of arms. The mili-

tary life is made a privileged profession, in which a man may indulge vices with impunity. His occupation is an apology for his crimes, and shields them from punishment. And what greater motive to the military life can be given? Or what can be more atrocious than the crime of those who give it? I know not, indeed, whether the guilt predominates, or the folly. Pitiably imbecility surely it is, that can persuade itself to sacrifice all the beauties of Virtue, and all the realities and the terrors of Religion, to the love of the flowing imagery of *Spirits ascending to heaven*. Whether writers shall do this, is a question, not of choice, but of duty: If we would not be the abettors of crime, and the sharers of its guilt, it is imperative that we refrain.

The reader will, perhaps, have observed, that some of those writers who are liberal contributors to the military passion, occasionally, in moments when truth and nature seem to have burst the influence of habit, emphatically condemn the system which they have so often contributed to support. There are not many books of which the tendency is more warlike, or which are more likely to stimulate the passion for martial glory, than the life of Nelson, by Southey; a work, in the composition of which, it probably never suggested itself to the author to inquire whether he were not contributing to the destruction of mankind. A contributor, however, as he has been, we find in another of his works, this extraordinary and memorable passage:—"There is but one community of christians

in the world, and that unhappily, of all communities one of the smallest, enlightend enough to understand the *prohibition of war by our Divine Master*, in its *plain, literal, and undeniable sense* : and conscientious enough to obey it, subduing the very instinct of nature to obedience.”\* Of these voluntary, or involuntary, testimonies of the mind against the principles which it habitually possesses, and habitually inculcates, many examples might be given;† and they are valuable testimonies, because they appear to be elicited by the influence of simple nature and unclouded truth. This, I think, is their obvious character. They will commonly be found to have been written when the mind has become sobered by reason, or tranquillized by religion ; when the feelings are not excited by external stimulants, and when conquest, and honor, and glory, are reduced to that station of importance to which Truth assigns them.

But whether such testimonies have much tendency to give conviction to a reader, I know not. Surrounded as they are with a general contrariety of sentiment, it is possible that those who read them may pass them by as the speculations of impracticable morality. I cannot, however, avoid recommending the reader, whenever he meets with passages like these, seriously to examine into their meaning and their force ; to enquire whether they be not accordant with the purity of truth, and whether they do not

\* History of Brazil.

† See “ the Enquiry, &c.”

possess the greater authority, because they have forced themselves from the mind when least likely to be deceived, and in opposition to all its habits and all its associations.

Such, then, are amongst the principal of the Causes of War.—Some consist in want of thought, and some in delusion; some are mercenary, and some simply criminal. Whether any or all of them, form a motive to the desolation of empires and to human destruction, such as a good or a reasoning man, who abstracts himself from habitual feelings, can contemplate with approbation, is a question which every one should ask and determine for himself. A conflict of nations is a serious thing: No motive arising from our passions should occasion it, or have any influence in occasioning it: Supposing the question of *lawfulness* to be superseded, war should be imposed only by stern, inevitable, unyielding necessity. That such a necessity is contained in these motives, I think cannot be shown. We may therefore reasonably question the defensibility of the custom, which is continued by such causes, and supported with such motives. If a tree is known by its fruits, we may also judge of the fruit by the tree: “Men do not gather grapes of thorns.” If the motives to war, and its causes are impure, war itself cannot be virtuous; and I would therefore solemnly invite the reader to give, to the succeeding Enquiry, his sober and christian attention.

## II.

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### AN INQUIRY,

*&c.*

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WHEN I endeavour to divest myself of the influence of habit, and to contemplate a battle with those emotions which it would excite in the mind of a being who had never before heard of human slaughter, I find that I am impressed only with horror and astonishment: and perhaps, of the two emotions, astonishment is the greater.

That several thousand persons should meet together, and then deliberately begin to kill one another, appears to the understanding, a proceeding so preposterous, so monstrous, that I think a being such as I have supposed, would inevitably conclude that they were mad. Nor, if it were attempted to explain to him some motives to such conduct, do I believe that he would be able to comprehend how any possible circumstances could make it reasonable. The ferocity, and prodigious folly of the act, would out-balance the

weight of every conceivable motive, and he would turn, unsatisfied away,

“ Astonished at the madness of mankind.”

There is an advantage in making suppositions such as these ; because, when the mind has been familiarised to a practice however monstrous or inhuman, it loses some of its sagacity of moral perception—profligacy becomes honour, and inhumanity becomes spirit. But if the subject is by some circumstance presented to the mind unconnected with any of its previous associations, we see it with a new judgment and new feelings ; and wonder, perhaps, that we have not felt so or thought so, before. And such occasions it is the part of a wise man to seek ; since if they never happen to us, it will often be difficult for us accurately to estimate the qualities of human actions, or to determine whether we approve them from a decision of our judgment, or whether we yield to them only the acquiescence of habit.

It is worthy, at least, of notice and remembrance, that the only being in the creation of Providence which engages in the wholesale destruction of his own species, is man ; that being who alone possesses reason to direct his conduct, who alone is required to love his fellows, and who alone hopes, in futurity, for repose and peace. All this seems wonderful, and may reasonably humiliate us. The powers which elevate us above the rest of the creation, we have employed in attaining to pre-eminence of outrage and malignity.

It may properly be a subject of wonder, that the arguments which are brought to justify a custom such as war, receive so little investigation. It must be a studious ingenuity of mischief, which could devise a practice more calamitous or horrible? and yet it is a practice of which it rarely occurs to us to enquire into the necessity, or to ask whether it cannot be, or ought not to be avoided. In one truth, however, all will acquiesce,—that the arguments in favour of such a practice should be unanswerably strong.

✓ Let it not be said that the experience and the practice of other ages, have superseded the necessity of enquiry in our own; that there can be no reason to question the lawfulness of that which has been sanctioned by forty centuries; or that he who presumes to question it, is amusing himself with schemes of visionary philanthropy. “There is not, it may be,” says Lord Clarendon, “a greater obstruction to the investigation of truth, or the improvement of knowledge, than the too frequent appeal, and the too supine resignation of our understanding, to antiquity.”\* Whosoever proposes an alteration of existing institutions, will meet, from some men, with a sort of instinctive opposition, which appears to be influenced by no process of reasoning, by no considerations of propriety, or principles of rectitude, which defends the existing system because it exists, and which would have equally

\* Lord Clarendon's *Essays*.

defended its opposite if that had been the eldest. "Nor is it out of modesty that we have this resignation, or that we do, in truth, think those who have gone before us to be wiser than ourselves: we are as proud and as peevish as any of our progenitors; but it is out of laziness; we will rather take their words, than take the pains to examine the reason they governed themselves by."\* To those who urge objections from the authority of ages, it is indeed, a sufficient answer to say, that they apply to every long continued custom. Slave dealers urged them against the friends of the abolition; Papists urged them against Wickliffe and Luther; and the Athenians probably thought it a good objection to an Apostle, that "he seemed to be a setter forth of *strange* gods."

It is agreed by all sober moralists, that the foundation of our duty is the will of God, and that his will is to be ascertained by the Revelation which he has made. To Christianity, therefore, we refer in determination of this great question: We admit no other test of truth; and with him who thinks that the decisions of christianity may be superseded by other considerations, we have no concern; we address not our argument to him, but leave him to find some other and better standard, by which to adjust his principles, and regulate his conduct. These observations apply to those objectors who loosely say that "wars are necessary; for sup-

\* Lord Clarendon's *Essays*.



posing the christian religion to prohibit war, it is preposterous, and irreverent also, to justify ourselves in supporting it, because "it is necessary." To talk of a Divine law which *must be disobeyed*, implies, indeed, such a confusion of moral principles as well as laxity of them, that neither the philosopher nor the christian, are required to notice it. But, perhaps, some of those who say that wars are necessary, do not very accurately inquire what they mean. There are two sorts of necessity—moral and physical; and these, it is probable, some men are accustomed to confound. That there is any *physical* necessity for war—that people cannot, if they choose, refuse to engage in it, no one will maintain: And a *moral* necessity to perform an action, consists only in the prospect of a certain *degree* of evil by refraining from it. If, then, those who say that "wars are necessary," mean that they are physically necessary, we deny it. If they mean that wars avert greater evils than they occasion, we ask for proof. Proof has never yet been given: And even if we thought that we possessed such proof, we should still be referred to the primary question—"What is the will of God?"

It is some satisfaction to be able to give, on a question of this nature, the testimony of some great minds against the lawfulness of war, opposed, as those testimonies are, to the general prejudice and the general practice of the world. It has been observed by Beccaria, that "it is the fate of great truths, to glow only

Like a flash of lightning amidst the dark clouds in which error has enveloped the universe ; and if our testimonies are few or transient, it matters not, so that their light be the light of truth. There are, indeed, many, who in describing the horrible particulars of a seige or a battle, indulge in some declamation on the horrors of war, such as has been often repeated, and often applauded, and as often forgotten. But such declamations are of little value and of little effect : he who reads the next paragraph finds, probably, that he is invited to follow the path *to glory and to victory—to share the hero's danger and partake the hero's praise* ; and he soon discovers that the moralizing parts of his author, are the impulse of feelings rather than of principles, and thinks that though it may be very well to write, yet it is better to forget them.

There are however testimonies, delivered in the calm of reflection, by acute and enlightened men, which may reasonably be allowed at least so much weight as to free the present inquiry, from the charge of being wild or visionary. Christianity indeed needs no such auxiliaries ; but if they induce an examination of her duties, a wise man will not wish them to be disregarded.

→ “They who defend war,” says Erasmus, “must defend the dispositions which lead to war ; and *these dispositions are absolutely forbidden by the gospel*.— Since the time that Jesus Christ said put up thy sword into its scabbard, *Christians ought not to go to war*.”

—Christ suffered Peter to fall into an error in this matter, on purpose that, when He had put up Peter's sword, it might remain *no longer a doubt that war was prohibited*, which, before that order, had been considered as allowable."—"I am persuaded," says the Bishop of Llandaff, "*that when the spirit of christianity shall exert its proper influence over the minds of individuals, and especially over the minds of public men in their public capacities, over the minds of men constituting the councils of princes, from whence are the issues of peace and war—when this happy period shall arrive, war will cease throughout the whole christian world.*"\* "War," says the same acute prelate, "has practices and principles peculiar to itself, *which but ill quadrate with the rule of moral rectitude, and are quite abhorrent from the benignity of christianity.*"† The emphatical declaration which I have already quoted for another purpose, is yet more distinct. *The prohibition of war by our divine Master, is plain, literal, and undeniable* ‡ Dr. Vicesimus Knox speaks in language equally specific:—"Morality and Religion forbid war, in its motives, conduct and consequences."§

In an inquiry into the decisions of christianity upon the question of war, we have to refer—to the general tendency of the revelation; to the individual declarations of Jesus Christ; to his practice; to the senti-

\* Life of Bishop Watson. † Ib. ‡ Southey's History of Brazil. § Essays.

ments and practice of his commissioned followers ; to the opinions respecting its lawfulness, which were held by their immediate converts ; and to some other species of christian evidence.

It is, perhaps, the capital error of those who have attempted to instruct others in the duties of morality, that they have not been willing to enforce the rules of the Christian Scriptures in their full extent. Almost every moralist pauses somewhere, short of the point which they prescribe ; and this pause is made at a greater or less distance from the Christian Standard, in proportion to the admission, in a greater or less degree, of principles which have been superadded to the principles of the gospel. Few, however, supersede the laws of christianity, without proposing some principle of "expediency," some doctrine of "natural law," some theory of "intrinsic decency and turpitude," which they lay down as the true standard of moral judgment.—They who reject truth are not likely to escape error. Having mingled with christianity, principles which it never taught, we are not likely to be consistent with Truth, or with ourselves ; and accordingly, he who seeks for direction from the professed teachers of morality, finds his mind bewildered in conflicting theories, and his judgment embarrassed by contradictory instructions.—But "Wisdom is justified by all her children : " and she is justified, perhaps, by nothing more evidently than by the laws which she has imposed ; for *all* who have proposed

any standard of rectitude, other than that which christianity has laid down, or who have admixed any foreign principles with the principles of which she teaches, have hitherto proved that they have only been "sporting themselves with their own deceivings."\*

It is a remarkable fact, that the laws of the Mosaic Dispensation, which, confessedly, was an imperfect system, are laid down clearly and specifically in the form of an express code; whilst those of that purer religion which Jesus Christ introduced into the world, are only to be found, casually and incidentally scattered, as it were, through a volume—intermixed with other subjects—elicited by unconnected events—delivered at distant periods, and for distant purposes, in narratives, in discourses, in conversations, in letters. Into the final purpose of such an ordination, (for an ordination it must be supposed to be,) it is not our present business to inquire. One important truth, however, results from the fact as it exists:—That those who would form a general estimate of the moral obligations of christianity, must derive it, not from *Codes* but from *Principles*; not from a multiplicity of directions in what manner we are to act, but from instructions re-

\* "Even thinking men, bewildered by the various and contradictory systems of moral judgment, adopted by different ages and nations, have doubted the existence of any real and permanent standard, and have considered it as the mere creature of habit and education."\*—How has the declaration been verified

"I will destroy the wisdom of the wise!"

\* Murray's Enquires respecting the Progress of Society

specting the motives and dispositions by which all actions are to be regulated.\*

It appears, therefore, to follow, that in the inquiry whether war is sanctioned by christianity, a specific declaration of its decision is not likely to be found. If, then, we be asked for a prohibition of war by Jesus Christ, in the express terms of a command, in the manner in which *Thou shalt not kill* is directed to murder, we willingly answer that no such prohibition exists :— and it is not necessary to the argument. Even those who would require such a prohibition, are themselves satisfied respecting the obligation of many negative duties, on which there has been no specific decision in the New Testament. They believe that suicide is not lawful. Yet christianity never forbade it. It can be shown, indeed, by implication and inference, that suicide could not have been allowed, and with this they are satisfied. Yet there is, probably, in the Christian Scriptures, not a twentieth part of as much indirect evidence against the lawfulness of suicide, as there is against the lawfulness of war. To those who require such a command as *Thou shalt not engage in war*, it is therefore sufficient to reply, that they require that, which, upon this and upon many other subjects, christianity has not chosen to give.

We refer then, first, to the general nature of chris-

\* I refer, of course, to those questions of morality which are not specifically decided.

tianity ; because we think that if there were no other evidence against the lawfulness of war, we should possess, in that general nature, sufficient proof that it is virtually forbidden.

That the whole character and spirit of our religion are eminently and peculiarly peaceful, and that it is opposed, in all its principles to carnage and devastation, cannot be disputed.

*Have peace one with another.—By this shall all men know that ye are my disciples, if ye have love one to another.*

*Walk with all lowliness and meekness, with long-suffering, forbearing one another in love.*

*Be ye all of one mind, having compassion one of another ; love as brethren, be pitiful, be courteous, not rendering evil for evil, or railing for railing*

*Be at peace among yourselves. See that none render evil for evil to any man.—God hath called us to peace.*

*Follow after love, patience, meekness.—Be gentle, showing all meekness unto all men.—Live in peace.*

*Lay aside all malice.—Put off anger, wrath, malice.—Let all bitterness, and wrath, and anger, and clamour, and evil speaking be put away from you, with all malice.*

*Avenge not yourselves.—If thine enemy hunger, feed him ; if he thirst, give him drink.—Recompence to no man evil for evil.—Overcome evil with good.*

Now we ask of any man who looks over these pas-

sages, what evidence do they convey respecting the lawfulness of war? Could any approval or allowance of it have been subjoined to these instructions, without obvious and most gross inconsistency?—But if war is obviously and most grossly inconsistent with the general character of christianity—if war could not have been permitted by its teachers, without any egregious violation of their own precepts, we think that the evidence of its unlawfulness, *arising from this general character alone*, is as clear, as absolute, and as exclusive, as could have been contained in any form of prohibition whatever.

To those solemn, discriminative, and public declarations of Jesus Christ, which are contained in the “sermon on the mount,” a reference will necessarily be made upon this great question; and perhaps, more is to be learnt from these declarations, of the moral duties of his religion, than from any other part of his communications to the world. It should be remarked in relation to the junctions which follow, that he repeatedly refers to that less pure and less peaceable system of morality, which the law of Moses had inculcated and contradistinguishes it from his own.

“Ye have heard that it *hath* been said, An eye for an eye, and a tooth for a tooth, but *I* say unto you that ye resist not evil; but whosoever shall smite thee on thy right cheek, turn to him the other also.”—“Ye have heard that it *hath* been said, Thou shalt love thy neighbour, and hate thine enemy; but *I* say unto you,

H



Love your enemies ; bless them that curse you ; do good to them that hate you, and pray for them which despitefully use you and persecute you : for if ye love them only which love you, what reward have ye?\*

There is an extraordinary emphasis in the form of these prohibitions and injunctions. They are not given in an insulated manner. They inculcate the obligations of christianity as *peculiar* to itself. The previous system of retaliation is introduced for the purpose of prohibiting it, and of distinguishing more clearly and forcibly the pacific nature of the new dispensation.

Of the precepts from the mount the most obvious characteristic is greater moral excellence and superior purity. They are directed, not so immediately to the external regulation of the conduct, as to the restraint and purification of the affections. In another precept† it is not enough that an unlawful passion be just so far restrained as to produce no open immorality—the passion itself is forbidden. The tendency of the discourse is to attach guilt not to action only, but also to *thought*. It has been said, Thou shalt not kill, and whosoever shall kill, shall be in danger of the judgment ; but *I* say that whosoever is *angry* with his brother without cause, shall be in danger of the judgment.‡ Our lawgiver attaches guilt to some of the violent feelings, such as resentment, hatred, revenge ; and by

\* Matt. v. &c.

† Matt. v. 28.

‡ Matt. v. 22.

doing this, we contend that he attaches guilt to war. War cannot be carried on without these passions which he prohibits. Our argument therefore is syllogistical. War cannot be allowed, if that which is necessary to war, is prohibited.

It was sufficient for the law of Moses, that men maintained love towards their neighbours ; towards an enemy they were at liberty to indulge rancour and resentment. But christianity says " If ye love them only which love you, what reward have ye?—Love your enemies." Now what sort of love does that man bear towards his enemy, who runs him through with a bayonet? We contend that the distinguishing duties of christianity must be sacrificed when war is carried on. The question is between the abandonment of these duties and the abandonment of war, for both cannot be retained.\*

It is however objected that the prohibitions " Resist not evil," &c. are figurative; and that they do not mean that no injury is to be punished, and no outrage to be repelled. It has been asked with complacent exultation, what would these advocates of peace say to him who struck them on the right cheek? Would they turn to him the other? What would these pa-

\* Yet the retention of both has been, unhappily enough, attempted. In a late publication, of which part is devoted to the defence of war, the author gravely recommends soldiers, whilst shooting and stabbing their enemies, to maintain towards them a feeling of "good will!"—*Tracts and Essays by the late William Hey, Esq. F. R. S.*

tient moralists say to him who robbed them of a coat? Would they give him a cloak also? What would these philanthropists say to him who asked them to lend a hundred pounds? Would they not turn away? This is *argumentum ad hominem*; one example amongst the many, of that lowest and most dishonest of all modes of intellectual warfare, which consists in exciting the feelings instead of convincing the understanding. It is, however, some satisfaction, that the motive to the adoption of this mode of warfare is itself an evidence of a bad cause for what honest reasoner would produce only a laugh, if he were able to produce conviction?—But I must ask in my turn, what do these objectors say is the meaning of the precepts? What is the meaning of “Resist not evil”? Does it mean to allow bombardment—devastation—murder? If it does not mean to allow all this, it does not mean to allow war. What again do the objectors say is the meaning “of Love your enemies,” or of “do good to them that hate you”? Does it mean “ruin their commerce”—“sink their fleets”—“plunder their cities”—“shoot through their hearts”? If the precept does not mean all this, it does not mean war. We are, then, not required to define what exceptions christianity may admit to the application of some of the precepts from the Mount; since, whatever exceptions she may allow, it is manifest what she does *not* allow: for if we give to our objectors whatever licence of interpretation they may desire, they cannot, either by honesty or dishonesty,

so interpret the precepts as to make them allow *war*. I would however be far from insinuating that we are left without any means of determining the degree and kind of resistance, which, in some cases, is lawful; although I believe no specification of it can be *previously laid down*: For if the precepts of christianity had been multiplied a thousand-fold, there would still have arisen many cases of daily occurrence, to which none of them would precisely have applied. Our business, then, *so far as written rules are concerned*, is, in all cases to which these rules do not apply, to regulate our conduct by those general principles and dispositions which our religion enjoins. I say, *so far as written rules are concerned*; for “if any man lack wisdom,” and these rules do not impart it, “let him ask of God.”\*

Of the injunctions that are contrasted with “eye for eye, and tooth for tooth,” the entire scope and purpose is the suppression of the violent passions, and the inculcation of forbearance, and forgiveness, and benevolence, and love. They forbid, not specifically the act, but the spirit of war; and this method of prohibition, Christ ordinarily employed. He did not

\* It is manifest, from the New Testament, that we are not required to give “a cloak,” in every case, to him who robs us of “a coat;” but I think it is equally manifest that we are required to give it *not the less* because he has robbed us: The circumstance of his having robbed us, does not entail an obligation to give; but it also does not impart a permission to withhold. If the necessities of the plunderer require relief, it is the business of the plundered to relieve them.

often condemn the individual doctrines or customs of the age, however false or however vicious ; but he condemned the passions by which only vice could exist, and inculcated the truth which dismissed every error. And this method was undoubtedly wise. In the gradual alterations of human wickedness, many new species of profligacy might arise which the world had not yet practised : In the gradual vicissitudes of human error, many new fallacies might obtain which the world had not yet held : and how were these errors and these crimes to be opposed, but by the inculcation of principles that were applicable to every crime and to every error?—Principles which tell us not always what is wrong, but which tell us what always is right.

There are two modes of censure or condemnation ; the one is to reprobate evil, and the other to enforce the opposite good, and both these modes were adopted by Christ in relation to war.—He not only censured the passions that are necessary to war, but inculcated the affections which are most opposed to them. The conduct and dispositions upon which he pronounced his solemn benediction are exceedingly remarkable. They are these, and in this order : Poverty of spirit—Mourning—Meekness—Desire of righteousness—Mercy—Purity of Heart—Peace making—Sufferance of persecution. Now let the reader try whether he can propose eight other qualities, to be retained as the general habit of the mind, which shall be more incongruous with war.

Of these benedictions I think the most emphatical is that pronounced upon the *Peace-makers*: “Blessed are the peace-makers; for they shall be called the children of God.”\* Higher praise or a higher title, no man can receive. Now I do not say that these benedictions contain an absolute proof that Christ prohibited war, but I say they make it clear that he did not approve it. He selected a number of subjects for his solemn approbation; and not one of them possesses any congruity with war, and some of them cannot possibly exist in conjunction with it. Can any one believe that he who made this selection, and who distinguished the peace-makers with peculiar approbation, could have sanctioned his followers in murdering one another? Or does any one believe that those who were mourners, and meek, and merciful, and peace-making, could at the same time perpetrate such murder? If I be told that a temporary suspension of christian dispositions, although necessary to the prosecution of war, does not imply the extinction of christian principles or that these dispositions may be the general habit of the mind, and may both precede and follow the acts of war; I answer that this is to grant all that I require, since it grants that when we engage in war, we abandon christianity.

When the betrayers and murderers of Jesus Christ approached him, his followers asked “Shall we smite with the sword?” And without waiting for an answer,

\* Matt. v. 9.

one of them drew "his sword, and smote the servant of the High Priest, and cut off his right ear."—"Pot up thy sword again into its place," said his Divine Master, "for all they that take the sword, shall perish with the sword."\* There is the greater importance in the circumstances of this command, because it prohibited the destruction of human life in a cause in which there were the best of possible reasons for destroying it. The question "shall we smite with the sword," obviously refers to the defence of the Redeemer from his assailants, by force of arms. His followers were ready to fight for him; and if any reason for fighting could be a good one, they certainly had it. But if, in defence of Himself from the hands of bloody ruffians, his religion did not allow the sword to be drawn, for what reason can it be lawful to draw it? The advocates of war are at least bound to show a better reason for destroying mankind, than is contained in this instance in which it was forbidden.

It will, perhaps, be said, that the reason why Christ did not suffer himself to be defended by arms, was, that such a defence would have defeated the purpose for which he came into the world, namely, to offer up his life; and that he himself assigns this reason in the context.—He does indeed assign it; but the *primary* reason, the *immediate* context is—"for all they that take the sword, shall "perish with the sword." The reference to the destined sacrifice of his life is an after-

reference. This destined sacrifice might, perhaps, have formed a reason why his followers should not fight *then*, but the first, the principal reason which he assigned, was a reason why they should not fight *at all*. —Nor is it necessary to define the precise import of the words “for all they that take the sword shall perish with the sword:” since it is sufficient for us all, that they imply reprobation.

To the declaration which was made by Jesus Christ, in the conversation that took place between himself and Pilate, after he had been seized by the Jews, I would peculiarly invite the attention of the reader. The declaration refers specifically to *an armed conflict*, and to *a conflict between numbers*. In allusion to the capability of his followers to have defended his person, he says, “My kingdom is not of this world ; if my kingdom were of this world, *then would my servants fight ; that I should not be delivered to the Jews :* but now is my kingdom not from hence.”\* He had before forbidden his “*servants*” to fight in his defence, and now, before Pilate, he assigns the reason for it: “My kingdom is not of this world.” This is the very reason which we are urging against war. We say that it is incompatible with his kingdom—with the state which he came into the world to introduce. The incompatibility of war with christianity, is yet more forcibly evinced by the contrast which Christ makes be-

\* John xviii. 36.



tween *His* kingdom and others. It is the ordinary practice in the world for subjects to "fight," and *His* subjects would have fought *if his kingdom had been of this world*; but since it was not of this world,—since its nature was purer and its obligations more pacific—*therefore* they might not fight.

His declaration referred, not to the act of a single individual who might draw his sword in individual passion, but to an armed engagement between hostile parties; to a conflict for an important object, which one party had previously resolved on attaining, and which the other were ready to have prevented them from attaining, with the sword. It refers therefore, strictly to a conflict between armed numbers; and to a conflict which, it should be remembered, was in a much better cause than any to which we can now pretend.\*

It is with the Apostles as with Christ himself. The incessant object of their discourses and writings is the inculcation of peace, of mildness, of placability. It might be supposed that they continually retained in prospect the reward which would attach to "Peacemakers." We ask the advocate of war, whether he discovers in the writings of the Apostles or of the

\* In the publication to which the note, page 52 refers, the Author informs us that the reason why Christ forbid his followers to fight in his defence, was, that it would have been to oppose the Government of the Country.—I am glad no better evasion can be found; and this would not have been found, if the author had consulted the reason assigned by the Prohibitor, before he promulgated his own.

Evangelists, any thing that indicates they approved of war. Do the tenor and spirit of their writings bear any congruity with it? Are not their spirit and tenor entirely discordant with it? We are entitled to renew the observation, that the pacific nature of the apostolic writings, proves presumptively, that the writers disallowed war. That could not be allowed by them as sanctioned by christianity, which outraged all the principles that they inculcated.

“ Whence come wars and fightings amongst you ?” is the interrogation of one of the apostles, to some whom he was reproofing for their unchristian conduct. And he answers himself by asking them, “ Come they not hence, even of your lusts that war in your members ?” \* This accords precisely with the argument that we urge. Christ forbade the passions which lead to war ; and now, when these passions had broken out into actual fighting, his apostle, in condemning war, refers it back to their passions. We have been saying that *the passions are condemned and therefore war* ; and now, again, the apostle James thinks, like his master, that the most effectual way of eradicating war, is to eradicate the passions which produce it.

In the following quotation we are told, not only what the arms of the apostles were not, but what they were. “ The weapons of our warfare are *not carnal*, but mighty, through God, to the pulling down of strong

\* James iv, 1.

holds, and bringing into captivity *every thought to the obedience of Christ.*”\* I quote this, not only because it assures us that the apostles had nothing to do with military weapons, but because it tells us the object of their warfare—the bringing every *thought* to the obedience of Christ: and this object I would beg the reader to notice, because it accords with the object of Christ himself in his precepts from the mount—the reduction of the *thoughts* to obedience. The apostle doubtless knew that if he could effect this, there was little reason to fear that his converts would slaughter one another. He followed the example of his master. He attacked wickedness in its root; and inculcated those general principles of purity and forbearance, which, in their prevalence, would abolish war, as they would abolish all other crimes. The teachers of christianity addressed themselves not to communities but men. They enforced the regulation of the passions and the rectification of the heart: and it was probably clear to the perceptions of apostles, although it is not clear to some species of philosophy, that whatever duties were binding upon one man, were binding upon ten, upon a hundred, and upon the state.

War is not often directly noticed in the writings of the apostles. When it is noticed, it is condemned just in that way in which we should suppose any thing would be condemned, that was *notoriously* opposed to

\* 2 Cor. v. 4.

the whole system—just as murder is condemned at the present day. Who can find, in modern books, that murder is formally censured? We may find censures of its motives, of its circumstances, of its degrees of atrocity; but the act itself no one thinks of censuring, because *every one knows* that it is wicked. Setting statutes aside, I doubt whether, if an Otaheitan should choose to argue that christians allow murder because he cannot find it formally prohibited in their writings, we should not be at a loss to find direct evidence against him. And it arises, perhaps, from the same causes, that a formal prohibition of war is not to be found in the writings of the apostles. I do not believe they *imagined* that christianity would ever be charged with allowing it. They write, as if the idea of such a charge never occurred to them. They did, nevertheless, virtually forbid it; unless any one shall say that they disallowed the passions which occasion war, but did not disallow war itself; that christianity prohibits the cause but permits the effect; which is much the same as to say that a law which forbade the administering of arsenic, did not forbid poisoning.—And this sort of reasoning, strange and illogical as it is, we shall by and by find has been gravely adopted against us.

But although the general tenor of christianity, and many of its direct precepts, appear to me to condemn and disallow war, it is certain that different conclusions have been formed; and many, who are undoubtedly desirous of performing the duties of christianity, have failed to perceive that war is unlawful to them.

In examining the arguments by which war is defended, two important considerations should be borne in mind—first, that those who urge them, are not simply defending war, they are also defending *themselves*. If war be wrong, their conduct is wrong; and the desire of self justification, prompts them to give importance to whatever arguments they can advance in its favor. Their decisions may therefore, with reason, be regarded as in some degree the decisions of a party in the cause. The other consideration is, that the defenders of war come to the discussion prepossessed in its favor. They are attached to it by their earliest habits. They do not examine the question as a philosopher would examine it, to whom the subject was new. Their opinions had been already formed. They are discussing a question which they had already determined. And every man, who is acquainted with the effects of evidence on the mind, knows that under these circumstances, a very slender argument in favor of the previous opinions, possesses more influence than many great ones against it. Now all this cannot be predicated of the advocates of peace; they are *opposing* the influence of habit—they are contending *against* the general prejudice—they are, perhaps, dismissing their own previous opinions. And I would submit it to the candor of the reader, that these circumstances ought to attach in his mind, *suspicion* to the validity of the arguments against us.

The narrative of the Centurion who came to Jesus at

Capernaum, to solicit him to heal his servant, furnishes one of these arguments. It is said that Christ found no fault with the centurion's profession; that if he had disallowed the military character, he would have taken this opportunity of censuring it; and that instead of such censure, he highly commended the officer, and said of him, "I have not found so great faith, no, not in Israel."\*

An obvious weakness in this argument is this; that it is founded not upon approval, but upon silence. Approbation is indeed expressed, but it is directed, not to his arms, but to his faith; and those who will read the narrative will find that no occasion was given for noticing his profession. He came to Christ not as a military officer, but simply as a deserving man. A censure of his profession *might*, undoubtedly, have been pronounced, but it would have been a gratuitous censure, a censure that did not naturally arise out of the case. The objection is in its greatest weight presumptive only, for none can be supposed to countenance every thing that he does not condemn. To observe *silence*† in such cases, was indeed the ordinary practice of Christ. He very seldom interfered with the civil and political institutions of the world. In these institutions there was sufficient wickedness around him, but some of them, flagitious as they were, he never,

\* Matt. viii. 10.

† See a future quotation from the "Moral and Political Philosophy."

on any occasion, even noticed. His mode of condemning and extirpating political vices was by the inculcation of general rules of purity, which in their eventual and universal application, would reform them all.

But how happens it that Christ did not notice the Centurion's religion? He surely was an idolater. And is there not as good reason for maintaining that Christ approved idolatry, because he did not condemn it, as that he approved war because he did not condemn it? Reasoning from analogy, we should conclude that idolatry was likely to have been noticed rather than war; and it is therefore peculiarly and singularly unapt to bring forward the silence respecting war, as an evidence of its lawfulness.

A similar argument is advanced from the case of Cornelius, to whom Peter was sent from Joppa; of which it is said, that although the gospel was imparted to Cornelius by the especial direction of Heaven, yet we do not find that he therefore quitted his profession, or that it was considered inconsistent with his new character. The objection applies to this argument as to the last, that it is built upon silence, that it is simply negative. *We do not find* that he quitted the service:—I might answer, Neither do we find that he continued in it. We only know nothing of the matter: and the evidence is therefore so much less than proof, as silence is less than approbation. Yet, that the account is silent respecting any disapprobation of war,

might have been a reasonable ground of argument under different circumstances. It might have been a reasonable ground of argument, if the primary object of christianity had been the reformation of political institutions, or perhaps, even if her primary object had been the regulation of the external conduct ; but her *primary* object was neither of these. She directed herself to the reformation of the heart, knowing that all other reformation would follow. She embraced indeed both morality and policy, and has reformed, or will reform both—not so much immediately as consequently ; not so much by filtering the current, as by purifying the spring. The silence of Peter, therefore, in the case of Cornelius, will serve the cause of war but little ; that little is diminished when urged against the positive evidence of commands and prohibitions, and it is reduced to nothingness, when it is opposed to the *universal tendency* and *object* of the revelation.

It has sometimes been urged that Christ paid taxes to the Roman government at a time when it was engaged in war, and when, therefore, the money that he paid, would be employed in its prosecution. This we shall readily grant ; but it appears to be forgotten by our opponents that if this proves war to be lawful, they are proving too much. These taxes were thrown into the exchequer of the State, and a part of the money was applied to purposes of a most iniquitous and shocking nature ; sometimes, probably, to the gratification of the emperor's personal vices and to his gla-



diatorial exhibitions, &c., and certainly to the support of a miserable idolatry. If, therefore, the payment of taxes to such a government proves an approbation of war, it proves an approbation of many other enormities. Moreover the argument goes too far in relation even to war; for it must necessarily make Christ approve of all the Roman wars, without distinction of their justice or injustice—of the most ambitious, the most atrocious, and the most aggressive: and these, even our objectors will not defend. The payment of tribute by our Lord, was accordant with his usual system of avoiding to interfere in the civil or political institutions of the world.

“Let him that has no sword, sell his garment and buy one.”\*—This is another passage that is brought against us.—“For what purpose,” it is asked, “were they to buy swords, if swords might not be used?” I doubt whether with some of those who advanced this objection, it is not an objection of words rather than of opinion. I doubt whether they themselves think there is any weight in it. To those, however, who may be influenced by it, I would observe, that, as it appears to me, a sufficient answer to the objection may be found in the immediate context:—“Lord, behold here are two swords,” said they; and he immediately answered, “It is enough.” How could two be enough when eleven were to be supplied with them?

\* Luke xxii. 36.

That swords, in the sense, and for the purpose of military weapons, were even intended in this passage, there appears much reason for doubting. This reason will be discovered by examining and connecting such expressions as these : “ The Son of Man is not come to destroy men’s lives, but to save them,” said our Lord. Yet, on another occasion, he says, “ I came not to send peace on earth, but a *sword*.” How are we to explain the meaning of the latter declaration ? Obviously by understanding “ sword” to mean something far other than steel. For myself, I see little reason for supposing that physical weapons were intended in the instruction of Christ. I believe they were not intended, partly because no one can imagine his apostles were in the habit of using such arms, partly because they declared that the weapons of their warfare were *not* carnal, and partly because the word “ *sword*” is often used to imply “ dissension,” or the religious warfare of the christian. Such an use of language is found in the last quotation ; and it is found also in such expressions as these : “ *shield* of faith”—“ *helmet* of salvation”—“ *sword* of the spirit”—“ I have *fought* the good *fight* of faith.”

But it will be said that the apostles did provide themselves with swords, for that on the same evening they asked, “ shall we smite with the sword ?” This is true, and I think it may probably be true also, that some of them provided themselves with swords in *consequence* of the injunction of their Master. But what

then? The reader of the New Testament will find that hitherto the destined teachers of christianity were very imperfectly acquainted with the nature of their master's religion—their conceptions of it were yet gross and Jewish. The very Question that is brought against us, and the succeeding conduct of Peter, evince how little they yet knew that *His kingdom was not of this world, and that his servants might not fight*. Even after the resurrection, they seemed to be still expecting that his purpose was to establish a temporal government, by the enquiry—"Lord, wilt thou at this time, restore again the kingdom unto Israel?"\* Why do we avail ourselves of the conduct of the apostles, before they themselves knew the duties of christianity? Why, if this example of Peter be authority to us, do we not approve the *subsequent* example of this same apostle, in denying his master?

Why, indeed, do we urge the conduct of Peter at all, when that conduct was immediately condemned by Christ? And, had it not been condemned, how happens it, that if he allowed his followers the use of arms, he healed the only wound which we find they ever inflicted with them?

It appears to me, that the apostles acted on this occasion upon the principles on which they had wished to act on another, when they asked, "Shall we command fire to come down from heaven to consume them?"

\* Acts i. 6.

And that their Master's principles of action were also the same in both.—“Ye know not what manner of spirit ye are of; for the Son of Man is not come to destroy men's lives, but to save them.” *This* is the language of christianity; and I would seriously invite him who now justifies “destroying men's lives,” to consider what manner of spirit he is of.

I think, then, that no argument arising from the instruction to buy swords can be maintained. This, at least, we know, that when the apostles were *completely* commissioned, they neither used nor possessed them. An extraordinary imagination he must have, who conceives of an apostle, preaching peace and reconciliation, crying “forgive injuries”—“love your enemies”—“render not evil for evil;” and at the conclusion of the discourse, if he chanced to meet violence or insult, promptly drawing his sword and maiming or murdering the offender. We insist upon this consideration. If swords were to be worn, swords were to be used; and there is no rational way in which they could have been used, but some such as that which we have been supposing. If, therefore, the words “Let him that “has no sword sell his garment and buy one,” do not mean to authorize *such an use* of the sword, they do not mean to authorize its use at all: And those who adduce the passage, must allow its application in such a sense, or they must exclude it from any application to their purpose.

It has been said, again, that when soldiers came to

John the Baptist to enquire of him what they should do, he did not direct them to leave the service, but to be content with their wages. This, also, is at best but a negative evidence. It does not prove that the military profession was wrong, and it certainly does not prove that it was right. But in truth, if it asserted the latter, Christians have, as I conceive, nothing to do with it; for I think that we need not enquire what John allowed, or what he forbade. He, confessedly, belonged to that system which required "an eye for an eye, and a tooth for a tooth;" and the observations which we shall by and by make on the authority of the law of Moses, apply therefore, to that of John the Baptist. Although it could be proved, (which it cannot be,) that he allowed wars, he acted not inconsistently with his own dispensation; and with that dispensation we have no business. Yet, if any one still insists upon the authority of John, I would refer him for an answer to Jesus Christ himself. What authority *He* attached to John on questions relating to his own dispensation, may be learnt from this—"The *least* in the kingdom of heaven is *greater* than he."

Such are the arguments which are adduced from the Christian Scriptures, by the advocates of war. Of these arguments, those derived from the cases of the Centurion and of Cornelius, are simply negative. It is not pretended that they possess *proof*. Their strength consists in silence, and of this silence there appears to be sufficient explanation. Of the objection

arising from the payment of tribute, I know not who will avail himself. It is nullified by itself. A nearly similar observation applies to the instruction to *buy swords*; and with the case of John the Baptist I do not conceive that we have any concern. In these five passages, the sum of the New Testament evidences in favor of war, unquestionably consists: they are the passages which men of acute minds, studiously seeking for evidence, have selected. And what are they? There is not one of them, except the payment of tribute and the instruction to buy swords, of which it is even said by our opponents, that it *proves* any thing in favor of war. A "NOT" always intervenes—the Centurion was *not* found fault with: Cornelius was *not* told to leave the profession: John did *not* tell the soldiers to abandon the army. I cannot forbear to solicit the reader to compare these objections with the pacific evidence of the gospel which has been laid before him; I would rather say, to compare it with the gospel itself; for the sum, the tendency, of the *whole revelation* is in our favor.

In an inquiry whether christianity allows of war, there is a subject that always appears to me to be of peculiar importance—the Prophecies of the Old Testament respecting the arrival of a period of universal peace. The belief is perhaps general amongst christians, that a time will come when vice shall be eradicated from the world, when the violent passions of mankind shall be repressed, and when the pure be-

nignity of christianity shall be universally diffused. That such a period will come we indeed know assuredly, for God has promised it.

Of the many prophecies of the Old Testament respecting it, I will refer only to a few from the writings of Isaiah. In his predictions respecting the "last times," by which it is not disputed that he referred to the prevalence of the christian religion, the prophet says,—“They shall beat their swords into ploughshares, and their spears into pruning-hooks ; nation shall not lift the sword against nation, neither shall they learn war any more.”\* Again, referring to the same period, he says—“They shall not hurt nor destroy in all my holy mountain, for the knowledge of the Lord shall cover the earth as the waters cover the sea.”† And again, respecting the same era—Violence shall be no more heard in thy land, wasting nor destruction within thy borders.”‡

Two things are to be observed in relation to these prophecies: first, that it is the will of God that war should eventually be abolished. This consideration is of importance, for if war be not accordant with His will, war cannot be accordant with christianity, which is the revelation of His will. My business, however, is principally with the second consideration—*that christianity will be the means of introducing this period of Peace.* From those who say that our religion sanctions war, an answer must be expected to

\* Isaiah ii. 4.

† Ib. xi. 9.

‡ Ib. lx. 18.

questions such as these:—By what instrumentality and by the diffusion of what principles, will the prophecies of Isaiah be fulfilled? Are we to expect some new system of religion, by which the imperfections of christianity shall be removed, and its deficiencies supplied? Are we to believe that God sent his only Son into the world to institute a religion such as this—a religion, that in a few centuries, would require to be altered and amended? If christianity allows of war, they must tell us what it is that is to extirpate war. If she allows “violence and wasting, and destruction,” they must tell us what are the principles that are to produce gentleness, and benevolence, and forbearance. —I know not what answer such inquiries will receive from the advocate of war, but I know that Isaiah says the change will be effected by *christianity*: And if any one still chooses to expect another and a purer system, an Apostle may perhaps repress his hopes:—“If we, or an angel from heaven,” says Paul, “preach any other gospel than that which *we* have preached unto you, let him be accursed.”\*

Whatever the principles of christianity will require hereafter, they require now. Christianity, *with its present principles and obligations*, is to produce universal peace. It becomes, therefore, an absurdity, a simple contradiction, to maintain that the principles of christianity allow of war, when they and they only,

\* Gal. i. 8.



are to eradicate it. If we have no other guarantee of Peace, than the existence of our religion, and no other hope of Peace, than in its diffusion, how can that religion sanction war? The conclusion that it does not sanction it, appears strictly logical : I do not perceive that a demonstration from Euclid can be clearer ; and I think that if we possessed no other evidence of the unlawfulness of war, there is contained in this, a proof which prejudice cannot deny, and which sophistry cannot evade.

The case is clear. A more perfect obedience to that same gospel, which we are told sanctions slaughter, will be the means, and the only means, of exterminating slaughter from the world. It is not from an alteration of christianity, but from an assimilation of christians to its nature, that we are to hope. It is because we violate the principles of our religion, because we are not what they require us to be, that wars are continued. If we will not be peaceable, let us then, at least, be honest, and acknowledge that we continue to slaughter one another, not because christianity permits it, but because we reject her laws.

The christian ought to be satisfied on questions connected with his duties, by the simple rules of his religion. If those rules disallow war, he should enquire no farther ; but since I am willing to give conviction to the reader by whatever means, and since truth carries its evidence with greater force from accumulated testimony, I would refer to two or three other subjects

in illustration of our principles, or in confirmation of their truth.

The opinions of the earliest professors of christianity upon the lawfulness of war, are of importance ; because they who lived nearest to the time of its Founder, were the most likely to be informed of his intentions and his will, and to practise them without those adulterations which we know have been introduced by the lapse of ages.

During a considerable period after the death of Christ, it is certain, then, that his followers believed he had forbidden war, and that, in consequence of this belief, many of them refused to engage in it whatever were the consequences, whether reproach, or imprisonment, or death. These facts are indisputable : “ It is as easy,” says a learned writer of the seventeenth century, “ to obscure the sun at mid-day as to deny that the primitive christians renounced all revenge and war.” Of all the christian writers of the second century, there is not one who notices the subject, who does not hold it to be unlawful for a christian to bear arms ; “ and,” says Clarkson, “ it was not till christianity became corrupted that christians became soldiers.”\*

Our Saviour inculcated mildness and peaceableness ; we have seen that the apostles imbibed his spirit, and followed his example ; and the early christians pursued the example and imbibed the spirit of both. “ This

\* “ Essay on the Doctrines and Practice of the Early Christians as they relate to war.” To this Essay I am indebted for much information on the present part of our subject.

sacred principle, this earnest recommendation of forbearance, lenity, and forgiveness, mixes with all the writings of that age. There are more quotations in the apostolical fathers, of texts which relate to these points than of any other. Christ's sayings had struck them. *Not rendering, said Polycarp the disciple of John, evil for evil, or railing for railing, or striking for striking, or cursing for cursing.*"\* Christ and his Apostles delivered general precepts for the regulation of our conduct. It was necessary for their successors to apply them to their practice in life. And to what did they apply the pacific precepts which had been delivered? They applied them to war: they were assured that the precepts absolutely forbade it. This belief they derived from those very precepts on which we have insisted: They referred, expressly, to the same passages in the New Testament, *and from the authority and obligation of those passages*, they refused to bear arms. A few examples from their history, will show with what undoubting confidence they believed in the unlawfulness of war, and how much they were willing to suffer in the cause of Peace.

Maximilian, as it is related in the Acts of Ruinart, was brought before the tribunal to be enrolled as a soldier. On the pro-consul's asking his name, Maximilian replied, "I am a christian and cannot fight." It was however ordered that he should be enrolled, but

\* Pol, Ep. ad Phil. C. 2.—Evidences of Christianity.

he refused to serve, still alleging *that he was a christian*. He was immediately told that there was no alternative between bearing arms, and being put to death. But his fidelity was not to be shaken—"I cannot fight," said he if I die." The pro-counsul asked who had persuaded him to this conduct; "My own mind," said the christian, "and he who has called me." It was once more attempted to shake his resolution by appealing to his youth and to the glory of the profession, but in vain;—"I cannot fight," said he, "for any earthly consideration." He continued steadfast to his principles, sentence was pronounced upon him, and he was led to execution.

The primitive christians not only refused to be enlisted in the army, but when they embraced christianity whilst already enlisted, they abandoned the profession at whatever cost. Marcellus was a centurion in the legion called Trajana. Whilst holding this commission he became a christian, and believing, in common with his fellow christians, that war was no longer permitted to him, he threw down his belt at the head of the legion, declaring that he had become a christian, and that he would serve no longer. He was committed to prison; but he was still faithful to christianity. "It is not lawful," said he, "for a christian to bear arms for any earthly consideration;" and he was in consequence put to death. Almost immediately afterwards, Cassian, who was Notary to the same legion, gave up his office. He steadfastly maintained

the sentiments of Macellus, and like him was consigned to the executioner. Martin, of whom so much is said by Sulpicius Severus, was bred to the profession of arms, which, on his acceptance of christianity, he abandoned. To Julian the Apostate, the only reason that we find he gave for his conduct was this—"I am a christian, and therefore I cannot fight." The answer of Tarachus to Numerianus Maximus, is in words nearly similar:—"I have led a military life and am a Roman; and because I am a christian I have abandoned my profession of a soldier."

These were not the sentiments, and this was not the conduct, of the insulated individuals who might be actuated by individual opinions, or by their private interpretations of the duties of christianity. Their principles were the principles of the body. They were recognized and defended by the christian writers their contemporaries. Justin Martyr and Tatian talk of soldiers and christians as distinct characters; and Tatian says that the christians declined even military commands. Clements of Alexandria calls his christian contemporaries the "Followers of Peace," and expressly tells us that "the followers of peace used none of the implements of war," Lactantius, another early christian, says expressly, "It can *never* be lawful for a righteous man to go to war." About the end of the second century, Celsus, one of the opponents of christianity, charged the christians *with refusing to bear arms even in case of necessity*. Origen, the defender of the christians,

does not think of denying the fact ; he admits the refusal, and justifies it, *because war was unlawful*. Even after christianity had spread over almost the whole of the known world, Tertullian, in speaking of a part of the Roman armies, including more than one third of the Standing Legions of Rome, distinctly informs us that “not a christian could be found amongst them.”

All this is explicit. The evidence of the following facts is however yet more determinate and satisfactory. Some of the arguments which, at the present day, are brought against the advocates of peace, were then urged against these early christians ; and *these arguments they examined and repelled*. This indicates investigation and inquiry, and manifests that their belief of the unlawfulness of war, was not a vague opinion, hastily admitted, and loosely floating amongst them, but that it was the result of deliberate examination and a consequent firm conviction that Christ had forbidden it. Tertullian says, “Though the soldiers came to John and received a certain form to be observed, yet Jesus Christ, by disarming Peter, disarmed every soldier afterwards ; for custom never sanctions any unlawful act.” “Can a soldier’s life be lawful,” says he, in another work, “when Christ has pronounced that he who lives by the sword shall perish by the sword ? Can any one, who possesses the peaceable doctrine of the gospel, be a soldier, when it is his duty not so much as to go to law ? And shall he, who is

not to revenge his own wrongs, be instrumental in bringing others into chains, imprisonment, torture, death?"—So that the very same arguments which are brought in defence of war at the present day, were brought against the christians sixteen hundred years ago; and, sixteen hundred years ago, they were repelled by these faithful contenders for the purity of our religion. It is remarkable too, that Tertullian appeals to the precepts from the mount, in proof of those principles on which this Essay has been insisting:—*that the dispositions which the precepts inculcate are not compatible with war, and that war, therefore, is irreconcilable with christianity.*

If it be possible, a still stronger evidence of the primitive belief, is contained in the circumstance, that some of the christian authors *declared that the refusal of the christian to bear arms*, was a fulfilment of ancient prophecy. The peculiar strength of this evidence consists in this—that the fact of a refusal to bear arms, is assumed as notorious and unquestioned. Irenæus, who lived about Anno 180, affirms that the prophecy of Isaiah, which declared that men should turn their swords into plough-shares, and their spears into pruning-hooks, *had been fulfilled in his time*; “for the christians,” says he, “have changed their swords and their lances into instruments of peace, and *they know not now how to fight.*” Justin Martyr, his cotemporary, writes,—“That the prophecy is fulfilled, you have good reason to believe, for we, who in

times past killed one another, *do not now fight with our enemies.*" Tertullian, who lived later, says, "You must confess that the prophecy has been accomplished, as far as *the practice of every individual is concerned*, to whom it is applicable."\*

It has been sometimes said, that the motive which influenced the Early Christians to refuse to engage in war, consisted in the idolatry which was connected with the Roman armies.—*One* motive this idolatry unquestionably afforded; but it is obvious, from the quotations which we have given, that their belief of the unlawfulness of *fighting*, independent of any question of idolatry, was an insuperable objection to engaging in war. Their words are explicit: "I cannot *fight* if I die."—"I am a christian, and therefore I cannot *fight*."—"Christ," says Tertullian, "*by disarming Peter*, disarmed every soldier;" and Peter was not about to fight in the armies of idolatry. So

\* These examples might be multiplied. Enough, however, have been given to establish our position; and the reader who desires further or more immediate information, is referred to *Justin Mart.* in *Dialog. cum Tryph. ejusdemque Apolog.* 2.—ad Zenam: *Tertull.* de corona militis.—*Apolog.* Cap. 21 and 37.—lib. de Idolol. C. 17, 18, 19.—ad Scapulam cap. 1.—adversus Jud. Cap. 7 and 9.—adv. Gnost. 13.—adv. Marc. C. 4.—lib. de patient C. 6. 10: *Orig. cont. Celsum* lib. 3, 5, 8.—In Josuam, hom. 12 Cap. 9.—in *Mat.* Cap. 26 Tract. 36: *Cypr.* Epist. 56.—ad Cornel. Lactan. de just. lib. 5. C. 18 lib. 6 C. 20: *Ambr.* in Luc. 22: *Chrysost.* in Matth. 5. hom. 18.—in Matth. 26 hom. 85.—lib. 2 de Sacerdotio.—1 Cor. 13: *Chromat.* in Matth. 5. *Hieron.* ad Ocean.—lib. Epist. p. 3 Tom. 1. Ep. 2: *Athan.* de Inc. Verb. Dei: *Cyrril. Alex.* lib. 11. in Johan. Cap. 25, 26. See also *Erasmus.* Luc. Cap. 3, and 22. *Ludov. Vives* in *Introd. ad Sap: I Ferus* lib. 4 *Comment.* in Matth. 7 and Luc. 22.

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entire was their conviction of the incompatibility of war with our religion, that they would not even *be present* at the gladiatorial fights, “lest,” says Theophilus, “we should become partakers of the murders committed there.” Can any one believe that they who would not *even witness* a battle between two men, would themselves fight in a battle between armies? And the destruction of a gladiator, it should be remembered, was authorised by the state as much as the destruction of enemies in war.

It is, therefore, indisputable, that the christians who lived nearest to the time of our Saviour, believed, with undoubting confidence, that he had unequivocally forbidden war—that they openly avowed this belief, and that, in support of it, they were willing to sacrifice, and did sacrifice, their fortunes and their lives.

Christians, however, afterwards became soldiers; And when?—When their *general* fidelity to christianity became relaxed;—when, *in other respects*, they violated its principles;—when they had begun “to dissemble,” and “to falsify their word,” and “to cheat;”—when “christian Casuists” had persuaded them that they might “*sit at meat in the idol’s temple*;”—when christians accepted even *the priesthoods of idolatry*. In a word, they became soldiers, when they had ceased to be christians.

The departure from the original faithfulness, was, however, not suddenly general. Like every other corruption, war obtained by degrees. During the

first two hundred years, not a christian soldier is upon record. In the third century, when christianity became partially corrupted, christian soldiers were common. The number increased with the increase of the general profligacy; until at last, in the fourth century, christians became soldiers without hesitation, and, perhaps, without remorse. Here and there, however, an ancient Father still lifted up his voice for Peace; but these, one after another, dropping from the world, the tenet that *War is unlawful*, ceased at length to be a tenet of the church.

Such was the origin of the present belief in the lawfulness of war. It began in unfaithfulness, was nurtured by profligacy, and was confirmed by general corruption.—We seriously, then, and solemnly invite the conscientious christian of the present day, to consider these things. Had the professors of christianity continued in the purity and faithfulness of their forefathers, we should *now* have believed that war was forbidden; and Europe, many long centuries ago, would have reposed in peace.

Let it always be borne in mind by those who are advocating war, that they are contending for a corruption which their forefathers abhorred; and that they are making Jesus Christ the sanctioner of crimes, which his purest followers offered up their lives because they would not commit.

An argument has sometimes been advanced in favour of war from the Divine communications to the

Jews under the administration of Moses. It has been said that as wars were allowed and enjoined to that people, they cannot be inconsistent with the will of God.

We have no intention to dispute that, under the Mosaic dispensation, some wars were allowed, or that they were enjoined upon the Jews as an imperative duty. But those who refer, in justification of our present practice, to the authority by which the Jews prosecuted their wars, must be expected to produce the same authority for our own. Wars were *commanded* to the Jews, but are they commanded to us? War, in the abstract, was never commanded. And, surely, those specific wars which were enjoined upon the Jews for an express purpose, are neither authority nor example for us, who have received no such injunction, and can plead no such purpose.

It will, perhaps, be said that the commands to prosecute wars, even to extermination, are so positive and so often repeated, that it is not probable, if they were inconsistent with the will of Heaven, and they would have been thus peremptorily enjoined. We answer, that they were not inconsistent with the will of Heaven *then*. But even then, the Prophets foresaw that they were not accordant with the universal will of God, since they predicted that when that Will should be fulfilled, war should be eradicated from the world. And by what dispensation was this Will to be fulfilled? By that of the "Rod out of the stem of Jesse."

But what do those who refer to the Dispensation of Moses maintain? Do they say that the injunctions to the Jews are binding upon them? If they say this, we have at least reason to ask them for greater consistency of obedience. That these injunctions, in point of fact, do not bind them, they give sufficient proof, by the neglect of the greater portion of them, enforced as those injunctions were, by the same authority as that which commanded war. They have, therefore, so far as their argument is concerned, annulled the injunctions by their own rejection of them. And out of ten precepts to reject nine and retain one, is a gratuitous and idle mode of argument.

If I be told that we still acknowledge the obligation of many of these precepts, I answer that we acknowledge the duties which they enjoin, but not because of the authority which enjoined them. We obey the injunctions, not because they were delivered under the law, but because they are enforced by christianity. The command "Thou shalt not kill," has never been abolished; but christians do not prohibit murder because it was denounced in the decalogue, they would have prohibited it if the decalogue had never existed.

But farther: Some of the commands under the law, christianity *requires* us to disobey. "*If a man have a stubborn and rebellious son, which will not obey the voice of his father, &c. all the men of the city shall stone him with stones that he die.\* If thy brother,*

\* Deut. xxi. 18, 21.

*the son of thy mother, or thy son, or thy daughter, or the wife of thy bosom, entice thee secretly, saying, 'Let us go and serve other Gods,' thou shalt not pity him or conceal him, but thou shalt surely kill him; thine hand shall be first upon him to put him to death."*\* Now we know that christianity will not sanction an obedience of these commands; and if we did obey them, our own laws would treat us as murderers. If the precepts under the dispensation of Moses are binding because they were promulgated by Heaven, they are binding in all their commands and all their prohibitions. But some of these precepts we habitually disregard, and some it were criminal to obey; and with what reason then do we refer to them in our defence?

And *why* was the law superseded? Because it "made nothing perfect."—"The law was given by Moses, but grace and *truth* came by Jesus Christ." The manner in which the author of "*truth*" prefaced some of his most important precepts, is much to our present purpose. "It hath been said by them of old time, An eye for an eye," &c. He then introduces his own precept with the contradistinguishing preface—"But *I* say unto you." This, therefore, appears to be a specific abrogation of the *authority* of the legal injunctions, and an introduction of another system; and this is all that our present purpose requires. The truth is, that the law was abolished be-

\* Deut. xiii. 9.

cause of its imperfections ; yet we take hold of one of these imperfections in justification of our present practice. Is it because we feel that we cannot defend it by our own religion ?

We therefore dismiss the dispensation of Moses from any participation in the argument. Whatever it allowed, or whatever it prohibited in relation to war, we do not enquire. We ask only what christianity allows and prohibits, and by this we determine the question.—It is the more necessary to point out the inapplicability of these arguments from the Old Testament, because there are some persons of desultory modes of thinking, who find that war is allowed in “the Bible,” and who forget to enquire into the present authority of the permission.

There are some persons who suppose themselves sufficiently justified in their approbation of war, by the example of men of piety of our own times. The argument, as an argument, is of little concern ; but every thing is important that makes us acquiescent in war. *Here are men, say they, who make the knowledge of their duties the great object of their study, and yet these men engage in war without any doubt of its lawfulness.* All this is true ; and it is true also, that some good men have expressly inculcated the lawfulness of war ; and it is true also, that the Articles of the Church of England specifically assert it.—But what, if it should have come to pass, that “blindness in part, hath happened unto Israel !”

What is the argument? *That good men have engaged in war, and therefore that christianity allows it.* They who satisfy themselves with such reasoning, should bear in mind that he who voluntarily passes over the practice of the two first centuries of christianity, and attempts to defend himself by the practice of after and darker ages, has obviously no other motive than that he finds his religion, when vitiated and corrupt, more suitable to his purpose than it was in the days of its purity. This state of imperfection and impurity has diffused an influence upon the good, as upon the bad. I question not that some christians of the present day who defend war, *believe* they act in accordance with their religion; just as I question not that many, who zealously bore faggots to the stake of the christian martyrs, *believed* so too. The time has been, when those who killed good men *thought* "they did God service." But let the succeeding declaration be applied by our present objectors—"These things will they do unto you, *because they have not known the Father nor Me.*"\* Here, then appears to be our error—that we do not estimate the conduct of men by the standard of the gospel, but that we reduce the standard of the gospel to the conduct of men. That good men should fail to conform to the perfect purity of christianity, or to *perceive* it, need not be wondered, for we have sufficient examples of it. Good

\* John xvi. 3.

men, in past ages allowed many things as permitted by christianity, which we condemn, and shall for ever condemn. In the present day there are many questions of duty on which men of piety disagree. If their authority be rejected by us on other points of practice, why is it to determine the question of war? Especially why do we insist on their decisions, when they differ in their decisions themselves? If good men have allowed the lawfulness of war, good men have also denied it. We are therefore again referred to the simple evidence of religion; an evidence which it will always be found wise to admit, and dangerous to question.

There is, however, one argument brought against us, which if it be just, precludes at once all question upon the subject:—*That a distinction is to be made between rules which apply to us as individuals, and rules which apply to us as subjects of the state; and that the pacific injunctions of Christ from the mount, and all the other kindred commands and prohibitions of the Christian Scriptures, have no reference to our conduct as members of the political body.* This is the argument to which the greatest importance is attached by the advocates of war, and by which thinking men are chiefly induced to acquiesce in its lawfulness. In reality, some of those who think most acutely upon the subject, acknowledge that the peaceable, forbearing, forgiving dispositions of christianity, are absolutely obligatory upon individuals in their full extent: and this acknowledgment I would intreat the reader to bear in his recollection.



Now it is obvious that the proof of the rectitude of this distinction, must be expected of those who make it. General Rules are laid down by christianity, of which, in some cases, the advocate of war denies the applicability. *He*, therefore, is to produce the reason and the authority for exception. Now we would remind him that general rules are binding unless their inapplicability can be clearly shown. We would remind him that the general rules in question, are laid down by the commissioned Ministers of Jesus Christ, and by Jesus Christ himself; and we would recommend him, therefore, to hesitate before he institutes exceptions to those rules, upon any authority *inferior* to the authority which made them.

The foundation for the distinction between the duties of Individuals and those of Communities, must, we suppose, be sought in one of these two positions:

- ✓ 1. That as no law exists, of general authority amongst nations, by which one state is protected from the violence of another, it is necessary that each independent community should protect itself; and that the security of a nation cannot sometimes be maintained otherwise than by war.
2. That as the general utility and expediency of actions is the foundation of their moral qualities, and as it is sometimes most conducive to general utility and expediency that there should be a war, war is therefore, sometimes lawful.

The first of these positions will probably be thus en-

forced. If an individual suffers aggression, there is a Power to which he can apply that is above himself and above the aggressor ; a power by which the bad passions of those around him are restrained, or by which their aggressions are punished. But amongst Nations there is no acknowledged superior or common Arbitrator.—Even if there were, there is no way in which its decisions could be enforced, but by the sword. War, therefore, is the only means which one nation possesses of protecting itself from the aggression of another.

This, certainly, is plausible reasoning; but it happens to this argument as to many others, that it assumes *that* as established, which has not been proved, and upon the proof of which the truth of the whole argument depends. It assumes, That the reason why an individual is not permitted to use violence, is, *that the Laws will use it for him*. And in this the fallacy of the position consists; for the foundation of the duty of forbearance in private life, is *not* that the laws will punish aggression, but *that Christianity requires forbearance*. Undoubtedly, if the existence of a common arbitrator were the foundation of the duty, the duty would not be binding upon Nations. But that which we require to be proved is this—that christianity exonerates nations from those duties which she has imposed upon individuals. This, the present argument does not prove ; and, in truth, with a singular unhappiness in its application, it assumes, in effect, that she has imposed these duties upon neither the one nor the other.

If it be said that christianity allows to individuals some degree and kind of resistance, and that some resistance is therefore lawful to states, we do not deny it. But if it be said that the degree of lawful resistance extends to the slaughter of our fellow christians—that it extends to war—we do deny it: We say that the rules of christianity cannot, by any possible latitude of interpretation be made to extend to it. The duty of forbearance, then, is *antecedent* to all considerations respecting the condition of man; and whether he be under the protection of laws or not, the duty of forbearance is imposed.

The only truth which appears to be elicited by the present argument, is, that the difficulty of obeying the forbearing rules of christianity, is *greater* in the case of nations than in the case of individuals: *The obligation to obey them is the same in both.* Nor let any one urge the difficulty of obedience in opposition to the duty; for he who does this, has yet to learn one of the most awful rules of his religion—a rule that was enforced by the precepts, and more especially by the final example, of Christ, of Apostles, and of Martyrs, the rule which requires that we should be “obedient even unto death.”

Let it not however be supposed that we believe the difficulty of forbearance would be great in practice, as it is great in theory. We hope hereafter to show, that it promotes our interests as certainly as it fulfils our duties.

The rectitude of the distinction between rules which apply to individuals, and rules which apply to states, is thus maintained by Dr. Paley on the principle of EXPEDIENCY.

“The *only* distinction” says he “that exists between the case of independent States and independent individuals, is founded in this circumstance; that the particular consequence sometimes appears to exceed the value of the general rule;” or, in less technical words, that a greater disadvantage may arise from obeying the commands of christianity, than from transgressing them. *Expediency*, it is said, is the test of moral rectitude, and the standard of our duty. If we believe that it will be most expedient to disregard the general obligations of christianity, that belief is the justifying motive of disregarding them. Dr. Paley proceeds to say, “In the transactions of private persons, no advantage that results from the breach of a general law of justice, can compensate to the public for the violation of the law; *in the concerns of empire this may sometimes be doubted.*” He says there may be cases in which “the magnitude of the particular evil induces us to *call in question* the obligation of the general rule.” “Situations *may be feigned*, and consequently *may possibly arise*, in which the general tendency is outweighed by the enormity of the particular mischief.” Of the doubts which must arise as to the occasions when the “obligation” of christian laws

ceases, he however says that "moral philosophy furnishes no precise solution ;" and he candidly acknowledges "the danger of leaving it to the sufferer to decide upon the comparison of particular and general consequences, and the still greater danger of such decisions being drawn into future precedents. If treaties, for instance, be no longer binding than while they are convenient, or until the inconveniency ascend to a certain point, (which point must be fixed by the judgment, or rather by the feelings of the complaining party,)—one, and almost the only method of averting or closing the calamities of war, of preventing or putting a stop to the destruction of mankind, is lost to the world for ever." And in retrospect of the indeterminateness of these rules of conduct, he says finally, "these however are the principles upon which the calculation is to be formed."\*

It is obvious that this reasoning proceeds upon the principle that *it is lawful to do evil that good may come*. If good will come by violating a treaty, we may violate it.† If good will come by slaughtering other men, we may slaughter them. I know that the advocate of Expediency will tell us that that is *not* evil of which good, in the aggregate comes ; and that the good or evil of actions *consists* in the good or evil of their general consequences.—I appeal to the under-

\* Moral and Political Philosophy, Chap. "Of War and Military Establishments."

† Ib.

standing and the conscience of the reader—Is this distinction honest to the meaning of the apostle? Did he intend to tell his readers that they might violate their solemn promises, that they might destroy their fellow christians, *in order that good might come*? If he did mean this, surely there was little truth in the declaration of the same apostle *that he used great plainness of speech*.

We are told that “whatever is *expedient* is right.” We shall not quarrel with the dogma, but how is expediency to be determined? By the calculations and guessings of men, or by the knowledge and foresight of God? Expediency may be the test of our duties, but what is the test of expediency?—Obviously, I think it is this; *the decisions which God has made known respecting what is best for man*. Calculations of expediency, of “particular and general consequences,” are not entrusted to us, for this most satisfactory reason—that we cannot make them. The calculation, to be any thing better than vague guessing, requires prescience, and where is prescience to be sought? Now it is conceded by our opponents, that the only Possessor of prescience has declared that the forbearing, non-resisting character, is best for man. Yet we are told that sometimes, it is *not* best, that sometimes it is “inexpedient.” How do we discover this! The Promulgator of the law has never intimated it. Whence, then, do we derive the right of substituting our computations for His prescience? Or,

having obtained it, what is the limit to its exercise? If, because we calculate that obedience will not be beneficial, we may dispense with his laws in one instance, why may we not dispense with them in ten? Why may we not abrogate them altogether?

The right is however claimed; and how is it to be exercised? We are told that the duty of obedience "may sometimes be *doubted*"—that in some cases, we are induced to "*call in question*" the obligation of the christian rule—that "*situations may be feigned*," that circumstances "*may possibly arise*," in which we are at liberty to dispense with it—that still it is dangerous to leave "it to the sufferer to decide" when the obligation of the rule ceases; and that of all these doubts "*philosophy furnishes no precise solution!*"—I know not how to contend against such principles as these. An argument might be repelled; the assertion of a fact might be disproved; but what answer can be made to "*possibilities*" and "*doubts*?" They who are at liberty to *guess* that Christian laws may sometimes be suspended, are at liberty to guess that Jupiter is a fixed star, or that the existence of America is a fiction. What answer the man of science would make to such suppositions I do not know, and I do not know what answer to make to ours. Amongst a community which had to decide on the "*particular and general consequences*" of some political measure, which involved the sacrifice of the principles of christianity, there would of necessity be an endless variety

of opinions. Some would think it *expedient* to supersede the law of christianity, and some would think the evil of obeying the law, less than the evil of transgressing it. Some would think that the "particular mischief" outweighed the "general rule," and some that the "general rule" outweighed the "particular mischief." And in this chaos of opinion, what is the line of rectitude, or how is it to be discovered? Or is *that* rectitude, which appears to each separate individual to be right? And are there as many species of truth, as there are discordancies of opinion?—Is *this* the simplicity of the Gospel? Is *this* the path in which a wayfaring man, though a fool, shall not err?

These are the principles of Expediency on which it is argued that the duties which attach to private life do not attach to citizens.—I think it will be obvious to the eye of candour, that they are exceedingly indeterminate and vague. Little more appears to be done by Dr. Paley than to exhibit their doubtfulness. In truth, I do not know whether he has argued better in favour of his position, or against it. To me it appears that he has evinced it to be fallacious; for I do not think that *any thing* can be Christian Truth, of which the truth cannot be more evidently proved. But whatever may be thought of the conclusion, the reader will certainly perceive that the whole question is involved in extreme vagueness and indecision: an indecision and vagueness, which it is difficult to conceive that christianity ever intended should be hung



over the very greatest question of practical morality that man has to determine ; over the question that asks whether the followers of Christ are at liberty to destroy one another. That such a procedure as a war, is, under any circumstances, sanctioned by christianity, from whose principles it is acknowledged to be "abhorrent," ought to be clearly made out. It ought to be obvious to loose examination. It ought not to be necessary to ascertaining it, that a critical investigation should be made, of questions which ordinary men cannot comprehend, and which, if they comprehended them, they could not determine ; and above all that investigation ought not to end, as we have seen it does end, in vague indecision—in "doubts" of which even "Philosophy furnishes no precise solution." But when this indecision and vagueness are brought to oppose the Christian Evidence for peace ; when it is contended, not only that it militates against that evidence, but that it outbalances and supersedes it—we would say of such an argument, that it is not only weak ; but idle ; of such a conclusion, that it is not only unsound, but preposterous.

Christian obligation is a much more simple thing than speculative philosophy would make it appear ; and to all those who suppose that our relations as subjects dismiss the obligation of christian laws, we would offer the consideration, that neither the Founder of christianity, nor his apostles, ever made the distinction. Of questions of "particular and general conse-

quences," of "general advantages and particular mischiefs," no traces are to be found in their words or writings. The morality of christianity is a simple system, adapted to the comprehensions of ordinary men. Were it otherwise, what would be its usefulness? If philosophers only could examine our duties, and if their examinations ended in *doubts without solution*, how would men, without learning and without leisure, regulate their conduct? I think, indeed, that it is a sufficient objection to all such theories as the present, that they are not adapted to the wayfaring man. If the present theory be admitted, one of these two effects will be the consequence: the greater part of the community must trust for the discovery of their duties to the sagacity of others, or they must act without any knowledge of their duties at all.

But, that the pacific injunctions of the Christian Scriptures do apply to us, under every circumstance of life, whether private or public, appears to be made necessary by the universality of christian obligation. The language of christianity upon the obligation of her moral laws, is essentially this—"What I say unto you, I say unto all." The pacific laws of our religion, then, are binding upon all men; upon the King and upon every individual who advises him, upon every member of a legislature, upon every officer and agent, and upon every private citizen. How then can *that* be lawful for a body of men which is unlawful for each individual? How, if one be disobedient, can his of-

fence make disobedience lawful to all? We maintain yet more and say, that to dismiss christian benevolence as subjects, and to retain it as individuals, is simply impossible. He who possesses that subjugation of the affections, and that universality of benevolence, by which he is influenced to do good to those who hate him, and to love his enemies in private life, cannot, without abandoning those dispositions, butcher other men because they are called public enemies.

The whole position, therefore, that the pacific commands and prohibitions of the Christian Scriptures, do not apply to our conduct as subjects of a state, appears to me to be a fallacy. Some of the arguments which are brought to support it, so flippantly dispense with the principles of Christian Obligation, so gratuitously assume, that because obedience may be difficult, obedience is not required, that they are rather an excuse for the distinction than a justification of it—and some are so lamentably vague and indeterminate, the principles which are proposed are so technical, so inapplicable to the circumstance of society, and in truth, so incapable of being practically applied, that it is not credible that they were designed to suspend the obligation of rules, which were imposed by a Revelation from Heaven.

The reputation of Dr. Paley is so great, that as he has devoted a chapter of the Moral Philosophy to “War and Military Establishments,” it will perhaps be expected, in an Inquiry like the present, that some

specific reference should be made to his opinions—and I make this reference willingly.

The chapter "on War" begins thus:—"Because the Christian Scriptures describe wars, as what they are, as crimes or judgments, some men have been led to believe that it is unlawful for a christian to bear arms. But it should be remembered, that it may be necessary for individuals to unite their force, and for this end to resign themselves to a common will; and yet it may be true that that will is often actuated by criminal motives, and often determined to destructive purposes." This is a most remarkable paragraph: It assumes, at once, the whole subject of inquiry, and is an assumption couched in extraordinary laxity of language.—"It may be necessary for individuals to unite their force"—The tea-table and the drawing-room have often told us this; but *Philosophy* should tell us how the necessity is proved. Nor is the morality of the paragraph more rigid than the philosophy—"Wars are crimes," and are often undertaken from "criminal motives, and determined to destructive purposes;" yet of these purposes, and motives, and crimes, "it may be necessary" for christians to become the abettors and accomplices!

Paley proceeds to say, that in the New Testament *the profession of a soldier\** is no where forbidden or

\* I do not know why "the profession of a soldier," is substituted for the simple term, *war*. Dr. P. does not say that *war* is no where forbidden or condemned, which censure or prohibition, it is obviously easy to have pronounced

condemned; and he refers to the cases of John the Baptist, of the Roman Centurion, and of Cornelius; and with this he finishes all inquiry into the christian evidence upon the subject, after having expended upon it less than a page of the edition before me.

These arguments are all derived from the silence of the New Testament, and to all reasoning founded upon this silence, no one can give a better answer than himself. In replying to the defences by which the advocates of Slavery attempt to justify it, he notices that which they advance from *the silence of the New Testament* respecting it. He says—It is urged that “Slavery was a part of the civil constitution of most countries when christianity appeared; yet that no passage is to be found in the christian scriptures, by which it is condemned or prohibited.” “This,” he rejoins, “is true; for christianity, soliciting admission into all nations of the world, abstained, as behoved it, from intermeddling with the civil institutions of any. But does it follow, from the silence of Scripture concerning them, that all the civil institutions which then prevailed were right, or that the bad should not be exchanged for better!” I beg the reader to apply this reasoning to Paley’s own arguments in favour of war from the silence of the Scriptures. How happens it that he did not remember it himself?

without even noticing “the profession of a soldier.” I do not say that this language implies a want of ingenuousness, but it certainly was more easy to prove that the *profession of a soldier* is no where condemned, than that *war* is no where condemned.

Now I am compelled to observe, that in the discussion of the lawfulness of war, Dr. Paley has neglected his professed principles of decision, and his ordinary practice. His professed principles are these; that the discovery of the "Will of God, which is the whole business of morality," is to be attained by referring, *primarily*, to "his express declarations when they are to be had, and which must be sought for in Scripture"—Has he sought for these declarations? Has he sought for "Resist not evil," or for "Love your enemies," or for "Put up thy sword," or for "The weapons of our warfare are not carnal," or for "My kingdom is not of this world?" He has sought for none of these; he has examined none of them. He has noticed none of them. His professed principles are, again, that *when our instructions are dubious, we should endeavour to explain them by what we can collect of our Master's general inclination or intention.*\* Has he conformed to his own rule? Has he endeavoured to collect this general inclination, and to examine this general tendency? He has taken no notice of it whatever. This neglect, we say, is contrary to his ordinary practice. Upon other subjects, he has assiduously applied to the Christian Scriptures in determination of truth. He has examined not only their direct evidence, but the evidence which they afford by induction and implication: the evidence arising from their general tendency. Sui-

\* Moral and Political Philosophy, Book ii. Chap. 4.

cide is no where condemned in the New Testament ; yet Paley condemns it, and how ? He examines the sacred volume, and finds that by implication and inference, it may be collected that suicide is not permitted by christianity. He says that patience under suffering is inculcated as an important duty ; and that the recommendation of patience, implies the unlawfulness of suicide to get out of suffering. This is sound reasoning ; but he does not adopt it in the examination of war. Could he not have found that the inculcation of peaceableness forms as good an argument against the lawfulness of war, as the inculcation of patience forms against the lawfulness of suicide ? He certainly could have done this, and why has he not done it ? Why has he passed it over in silence ?

I must confess my belief, that he was unwilling to discuss the subject upon Christian Principles ; that he had resolved to make war consistent with christianity ; and that, foreseeing her “ express declarations ” and “ general intentions ” militated against it, he avoided noticing them at all. Thus much at least is certain, that in discussing the lawfulness of war, he has abandoned both his avowed principles and his correspondent practice. There is, to me at least, in the chapter, “ On War,” an appearance of great indecision of mind, arising from the conflict between christian truth and the power of habit, between the consciousness that war is “ abhorrent ” to our religion, and the desire to defend it on the principle of expediency. The

whole chapter is characterized by a very extraordinary laxity, both of arguments and principles.

After the defensibility of war has been proved, or assumed, in the manner which we have exhibited, Dr. Paley states the occasions upon which he determines that wars become justifiable. "The objects of *just* war," says he, "are precaution, defence, or reparation."—"Every *just* war, supposes an injury perpetrated, attempted, or feared."

I shall acknowledge, that if these be justifying motives to war, I see very little purpose in talking of morality upon the subject. It was wise to leave the principles of christianity out of the question, and to pass them by unnoticed, if they were to be succeeded by principles like these. It is in vain to expatiate on moral obligations, if we are at liberty to declare war whenever an "injury is feared." An injury, without limit to its insignificance! A fear, without stipulation for its reasonableness! The judges, also, of the reasonableness of fear, are to be they who are under its influence; and who so likely to judge amiss as those who are afraid? Sounder philosophy than this has told us, that "he who has to reason upon his duty when the temptation to transgress it is before him, is almost sure to reason himself into an error." The necessity for this ill-timed reasoning, and the allowance of it, is amongst the capital objections to the philosophy of Paley. It tells us that a people may suspend the laws of God when they think it is "expe-



dient;" and they are to judge of this expediency when the temptation to transgression is before them!—Has christianity left the lawfulness of human destruction to be determined on such principles as these?

Violence, and rapine, and ambition, are not to be restrained by morality like this. It may serve for the speculations of a study; but we will venture to affirm that mankind will never be controlled by it. Moral rules are useless, if, from their own nature, they cannot be, or will not be applied.—Who believes that if kings and conquerors may fight when they have fears, they will not fight when they have them not? The morality allows too much latitude to the passions, to retain any practical restraint upon them. And a morality that will not be practised, I had almost said, that cannot be practised, is an useless morality. It is a *theory* of morals. We want clearer and more exclusive rules; we want more obvious and immediate sanctions. It were in vain for a philosopher to say to a general who was burning for glory, "You are at liberty to engage in the war provided you have suffered, or fear you will suffer an injury; otherwise christianity prohibits it."—He will tell him of twenty injuries that have been suffered, of a hundred that have been attempted, and of ten thousand that he fears. And what answer can the philosopher make to him?

I think that Dr. Paley has, in another and a later work, given us stronger arguments in favour of peace, than the Moral Philosophy gives in favour of war.

In the "Evidences of Christianity" we find these statements:—"The two following positions appear to me to be satisfactorily made out; first, That the gospel *omits some qualities*, which have usually engaged the praises and admiration of mankind, but which, in reality, and in their general effects, have been *prejudicial to human happiness*; secondly, that the gospel has *brought forwards some virtues*, which *possess the highest intrinsic value*, but which have commonly been overlooked and condemned.—The second of these propositions is exemplified in the instances of passive courage or endurance of suffering, patience under affronts and injuries, humility, irresistance, placability.—The truth is, there are two opposite descriptions of character under which mankind may be generally classed. The one possesses vigour, firmness, resolution, is daring and active, quick in its sensibilities, jealous in its fame, eager in its attachments, inflexible in its purpose, violent in its resentments. The other meek, yielding, complying, forgiving, not prompt to act, but willing to suffer, silent and gentle under rudeness and insult, suing for reconciliation where others would demand satisfaction, giving way to the pushes of impudence, conceding and indulgent to the prejudices, the wrong-headedness, the intractability of those with whom it has to deal.—The former of these characters is, and ever hath been, the favourite of the world.—Yet so it hath happened, that with the Founder of christianity, *this latter is the subject of his*

*commendation, his precepts, his example; and that the former is so, in no part of its composition. This morality shows, at least, that no two things can be more different than the Heroic and the Christian characters. Now it is proved, in contradiction to first impressions, to popular opinion, to the encomiums of orators and poets, and even to the suffrages of historians and moralists, that the latter character possesses most of true worth, both as being most difficult either to be acquired or sustained, and as contributing most to the happiness and tranquillity of social life.—If this disposition were universal, the case is clear; the world would be a society of friends: whereas, if the other disposition were universal, it would produce a scene of universal contention. The world would not be able to hold a generation of such men. If, what is the fact, the disposition be partial; if a few be actuated by it amongst a multitude who are not, in whatever degree it does prevail, it prevents, allays, and terminates quarrels, the great disturbers of human happiness, and the great sources of human misery, so far as man's happiness and misery depend upon man. The preference of the patient to the heroic character, which we have here noticed, is a peculiarity in the christian institution, which I propose as an argument of wisdom.”\**

\* I must be just. After these declarations, the Author says, that when the laws which inculcate the Christian character, are applied to what is necessary to be done for the sake of the public, they are applied to a case to which they do

These are the sentiments of Dr. Paley upon this great characteristic of the christian morality. I think that in their plain, literal, and unsophisticated meaning, they exclude the possibility of the lawfulness of war. The simple conclusion from them is, that violence, and devastation, and human destruction cannot exist in conjunction with the character of a christian. This would be the conclusion of the inhabitant of some far and peaceful island, where war and christianity were alike unknown. If he read these definitions of the christian duties, and were afterwards told that we thought ourselves allowed to plunder and to murder one another, he would start in amazement at the monstrous inconsistency. Casuistry may make her "distinctions," and philosophy may talk of her "expediencies," but the monstrous inconsistency remains. What is the fact? Mahometans and Pagans do not believe that our religion allows of war. They reproach us with the inconsistency. Our wars are, with them a scandal and a taunt. "You preach to us," say they, "of Christianity, and would convert us to your creed;—first convert yourselves; show us that yourselves

not belong; and he adds, "This distinction is plain," but in what its plainness [consists, or how it is discovered at all, he does not inform us. The reader will probably wonder, as I do, that whilst Paley says no two things can be more opposite than the christian and the heroic characters, he nevertheless thinks it "is plain" that christianity sanctions the latter.

I would take the opportunity afforded me by this note, to entreat the reader to look over the whole of Chap. 2, Part. II. in the *Evidences of Christianity*. He will find many observations on the placability of the gospel, which will repay the time of reading them.

believe in it." Nay, the Jews at our own doors tell us, that our wars are an evidence that the Prince of Peace is not come. They bring the violence of christians to prove that Christ was a deceiver. Thus do we cause the way of truth to be evil spoken of. Thus are we, who should be the helpers of the world, its stumbling-blocks and its shame. We, who should be lights to them that sit in darkness, cause them to love that darkness still. Well may the christian be ashamed for these things : Well may he be ashamed for the reputation of his religion : And he may be ashamed too, for the honored defender of the christian faith, who stands up, the advocate of blood ; who subtilizes the sophisms of the schools, and roves over the fields of speculation to find an argument to convince us that we may murder one another ! This is the "wisdom of the world ;" that wisdom which is, emphatically, "FOOLISHNESS."

We have seen that the principle on which Dr. Paley's Moral Philosophy decides that war is lawful, is, that it is expedient. I know not how this argument accords with some of the statements of the Evidences of Christianity. We are there told that the non-resisting character possesses "the highest intrinsic value," and the "most of true worth ;" that it "prevents the great disturbances of human happiness," and destroys "the great sources of human misery," and that it "contributes most to the happiness and tranquillity of social life." And in what then does expe-

diency consist, if the non-resisting character be not expedient? Dr. Paley says, again, in relation to the immense mischief and bloodshed arising from the violation of christian duty—"We do not say that no evil can exceed this, nor any possible advantage compensate it, but we say that a loss which affects all, *will scarcely be made up to the common stock of human happiness, by any benefit that can be procured to a single nation.*" And is not therefore the violation of the duty *inexpedient* as well as criminal? He says, again, that the warlike character "*is, in its general effects prejudicial to human happiness,*"—and therefore, surely it is inexpedient.

The advocate of war, in the abundance of his topics of defence (or in the penury of them,) has had recourse to this:—*That as a greater number of male children are brought into the world than of female, wars are the ordination of Providence to rectify the inequality*; and one or two moralists have proceeded a step farther, and have told us, not that war is designed to carry off the excess, but *that an excess is born in order to supply its slaughters.* Dreadful! Are we to be told that God sends too many of his rational creatures into the world, and therefore that he stands in need of wars to destroy them? Has he no other means of adjusting the proportions of the species, than by a system which violates the revelation that he has made, and the duties that he has imposed? Or, yet more dreadful—are we to be told that He creates an excess

of one of the sexes, on purpose that their destruction of each other may be with impunity to the species? This reasoning surely is sufficiently confident:—I fear it is more than sufficiently profane. But alas for the argument! It happens most unfortunately for it, that although more males are born than females, yet, from the greater mortality of the former, it is found that long before the race arrives at maturity, the number of females predominates. What a pity—that just as the young men had grown old enough to kill one another, it should be discovered that there are not too many to remain peaceably alive! Let then, the principle be retained and acted upon; and since we have now an excess of females, let us send forth an armament of ladies that their redundance may be lopped by the appointed means.—But really it is time for the defender of war to abandon reasoning like this. It argues little in favour of any cause, that its advocates have recourse to such deplorable subterfuges.

The magistrate “beareth not the sword in vain; for he is the minister of God, a revenger to execute wrath upon him that doeth evil.” From this acknowledgment of the lawfulness of coercion on the part of the civil magistrate, an argument has been advanced in favor of war. It is said, that by parity of reasoning, coercion is also lawful in the suppression of the violence which one nation uses towards another.

Some men talk as if the principles which we maintain were subversive of all order and government. They

ask us—Is the civil magistrate to stand still and see lawless violence ravaging the land? Is the whole fabric of human society to be dissolved? We answer, No; and that whencesoever these men may have derived their terrors, they are not chargeable upon us or upon our principles. To deduce even a plausible argument in favour of war from the permission “to execute wrath upon him that doeth evil,” it is obviously necessary to show that we are permitted to take his life. And the right to put an offender to death, must be proved, if it can be proved at all, either *from an express permission of the Christian Scriptures*, or, supposing christianity to have given no decisions, either directly or indirectly, *from a necessity which knows no alternative*. Now every one knows that this express permission to inflict death is not to be found; and, upon the question of its *necessity*, we ask for that evidence which alone can determine it—the evidence of experience: and this evidence, the advocate of war has never brought, and cannot bring. And we shall probably not be contradicted when we say, that that degree of evidence which experience has afforded, is an evidence in our favour rather than against us.

But some persons entertain an opinion, that in the case of murder, at least, there is a sort of immutable necessity for taking the offender’s life. “Whoso sheddeth man’s blood, by man shall his blood be shed.” If any one urges this rule against us, we reply, that it is not a rule of christianity; and if the necessity of de-

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manding blood for blood is an everlasting principle of retributive justice, how happens it that, in the first case in which murder was committed, the murderer was not put to death?

The philosopher however would prove what the christian cannot; and Mably accordingly says, "In the state of nature, I have a right to take the life of him who lifts his arm against mine. *This right, upon entering into society, I surrender to the magistrate.*" If we conceded the truth of the first position, (which we do not,) the conclusion from it is a sophism too idle for notice. Having, however, been thus told that the state has a right to kill, we are next informed, by Filangieri, that the criminal has no right to live. He says, "If I have a right to kill another man, *he has lost his right to life.*"\* Rousseau goes a little farther. He tells us, that in consequence of the "social contract" which we make with the sovereign on entering into society, "Life is a conditional grant of the state:"† so that we hold our lives, it seems, only as "tenants at will," and must give them up whenever their owner, the state, requires them. The reader has probably hitherto thought that he retained his head by some other tenure.

The right of taking an offender's life being thus proved, Mably shows us how its exercise becomes expedient. "A murderer," says he, "in taking away

\* Montagu on Punishment of Death.

† Contr. Soc. ii. 5. Montagu.

his enemy's life, *believes he does him the greatest possible evil*. Death, then, in the murderer's estimation, is the greatest of evils. *By the fear of death, therefore*, the excesses of hatred and revenge must be restrained." If language wilder than this can be held, Rousseau, I think, holds it. He says, "The preservation of both sides (the criminal and the state) is incompatible; one of the two must perish." How it happens that a nation "must perish," if a convict is not hanged, the reader, I suppose, will not know.

I have referred to these speculations for the purpose of showing, that the right of putting offenders to death is not easily made out. Philosophers would scarcely have had recourse to these metaphysical abstractions if they knew an easier method of establishing the right. Even philosophy, however, concedes us much:—"Absolute necessity, alone," says Pastoret, "can justify the punishment of death;" and Rousseau himself acknowledges, that "we have no right to put to death, *even for the sake of example*, any but those who cannot be permitted to live without danger." Beccaria limits the right to two specific cases; in which, "if an individual, though deprived of his liberty, has still such credit and connexions as may endanger the security of the nation, or, by his existence, is likely to produce a dangerous revolution in the established form of government—he must undoubtedly die."\*

\* Del Delitti e della Pena, xvi. Montagu.

It is not, perhaps, necessary for us to point out why, in these suppositious cases, a prisoner may not be put to death; since I believe that philosophy will find it difficult, on some of her own principles, to justify his destruction: For Dr. Paley decides, that whenever a man thinks there are great grievances in the existing government, and that, by heading a revolt, he can redress them, without occasioning greater evil by the rebellion than benefit by its success—*it is his duty to rebel*.\* The prisoner whom Beccaria supposes, may be presumed to have thought this; and with reason too, for the extent of his credit, his connexions and his success, is the plea for putting him to death; and we must therefore leave it to those who indulge in such speculations, to consider, how it can be right for one man to take the lead in a revolution, whilst it is right for another to hang him for taking it.

What then does the lawfulness of coercion on the part of the magistrate, prove upon the question of the lawfulness of war? If capital punishments *had never been inflicted*, what would it have proved? Obviously nothing. If capital punishments *cannot be shown to be defensible*, what does it prove? Obviously nothing: for an unauthorized destruction of human life on the gallows, cannot justify another unauthorized destruction of it on the field.

Perhaps some of those who may have been hitherto

\* Moral and Political Philosophy.

willing to give me a patient attention, will be disposed to withdraw it, when they hear the unlawfulness of defensive war unequivocally maintained. But it matters not. My business is with what appears to me to be truth: if truth surprises us, I cannot help it—still it is truth.

Upon the question of defensive war, I would beg the reader to bear in his recollection, that every feeling of his nature is enlisted against us; and I would beg him, knowing this, to attain as complete an abstraction from the influence of those feelings as shall be in his power. This he will do, if he is honest in the inquiry for truth. It is not necessary to conceal that the principles which we maintain may sometimes demand the sacrifice of our apparent interests. Such sacrifices christianity has been wont to require: They are the tests of our fidelity; and of those whom I address, I believe there are some, who, if they can be assured that we speak the language of christianity, will require no other inducements to obedience.

The lawfulness of defensive war, is commonly simplified to *The Right of Self Defence*. This is one of the strong holds of the defender of war, the almost final fastness to which he retires. *The instinct of self-preservation*, it is said, *is an instinct of nature; and since this instinct is implanted by God, whatever is necessary to self-preservation, is accordant with his will*. This is specious, but like many other specious arguments, it is sound in its premises, but, as I think,

fallacious in its conclusions. That the instinct of self-preservation is an instinct of nature, is clear—that, because it is an instinct of nature, we have a right to kill other men, is *not* clear.

The fallacy of the whole argument appears to consist in this,—that it assumes that an instinct of nature is a law of *paramount* authority. God has implanted in the human system, various propensities or instincts, of which the purposes are wise. These propensities tend in their own nature to *abuse*; and when gratified or followed to excess, they become subversive of the purposes of the wisdom which implanted them, and destructive of the welfare of mankind. He has therefore instituted a *superior law*, sanctioned by his immediate authority: by this law, we are required to regulate these propensities. The question therefore is not whether the instinct of self-preservation is implanted by nature, but whether christianity has restricted its operation. By this, and by this only, the question is to be determined. Now he who will be at the trouble of making the inquiry, will find that a regulation of the instincts of nature, and a restriction of their exercise, is a prominent object of the christian morality; and I think it is plain that this regulation and restriction apply to the instinct before us. That some of these propensities are to be restrained is certain. One of the most powerful instincts of our nature, is an affection to which the regulating precepts of christianity are peculiarly directed. I do not main-

tain that any natural instinct is to be eradicated, but that all of them are to be regulated and restrained ; and I maintain this of the instinct of self-preservation.

The establishment of this position, is, indeed, the great object of the present Inquiry. What are the dispositions and actions to which the instinct of self-preservation prompts, but actions and dispositions which christianity forbids? They are non-forgiveness, resistance, retaliation of injuries. The truth is, that it is to *defence* that the peaceable precepts of christianity are directed. *Offence* appears not to have even suggested itself. It is "Resist not *evil*;" it is "Overcome *evil* with good;" it is "Do good to them that *hate* you;" it is "Love your *enemies*;" it is "Render not evil for *evil*;" it is "Whoso *smiteth thee on one cheek*." All this supposes previous offence, or injury, or violence ; and it is *then* that forgiveness is enjoined.

"The chief aim," says a judicious author, "of those who argue in behalf of defensive war, is directed *at the passions* ;"\* and accordingly, the case of an assassin will doubtless be brought against me. I shall be asked—Suppose a ruffian breaks into your house, and rushes into your room with his arm lifted to murder you, do you not believe that christianity allows you to kill him? This is the last refuge of the cause : my answer to it is explicit—*I do not believe it*.

\* "The lawfulness of Defensive War impartially considered, by a Member of the Church of England."

I have referred to this utmost possible extremity, because I am willing to meet objections of whatever nature, and because, by stating this, which is enforced by all our prejudices and all our instincts, I shall at least show that I give to those who differ from me, a fair, an open, and a candid recognition of all the consequences of my principles. I would, however, beg the same candour of the reader, and remind him, that were they unable to abide this test, the case of the ruffian has little practical reference to war. I remind him of this, not because I doubt whether our principles can be supported, but because, if he should think that in this case I do not support them, he will yet recollect that very few wars are proved to be lawful. — Of the wars which are prosecuted, some are simply wars of aggression ; some are for the maintenance of a balance of power ; some are in assertion of technical rights, and some, undoubtedly, to repel invasion. The last are perhaps the fewest ; and of these only it can be said that they bear any analogy whatever to the case which is supposed ; and even in these, the analogy is seldom complete. It has rarely indeed happened that wars have been undertaken simply for the preservation of life, and that no other alternative has remained to a people, than to kill, or to be killed. And let it be remembered, that *unless this alternative only remains*, the case of the ruffian is irrelevant ; it applies not, practically, to the subject.

I do not know what those persons mean, who say,

that we are authorized to kill an assassin by *the law of nature*. Principles like this, heedlessly assumed, as of self-evident truth, are, I believe, often the starting-post of our errors; the point of divergency from rectitude, from which our after obliquities proceed. Some men seem to talk of the laws of nature, as if nature were a legislatress who had sat and framed laws for the government of mankind.—Nature makes no laws. A law implies a legislator; and there is no legislature upon the principles of human duty, but God. If, by the “law of nature,” is meant any thing of which the sanctions or obligations are *different* from those of revelation, it is obvious that we have set up a moral system of our own, and in opposition to that which has been established by Heaven. If we mean by the “law of nature,” nothing but that which is *accordant* with revelation, to what purpose do we refer to it at all? I do not suppose that any sober moralist will stately advance the laws of nature in opposition to the laws of God: but I think that to advance them *at all*—that to refer to *any* principle or law, in determination of our duty, irrespectively of the simple will of God, is always dangerous; for there will be many, who, when they are referred for direction to such law or principle, will regard it, in their practice, as a *final* standard of truth. I believe that a reference to the laws of nature has seldom illustrated our duties, and never induced us to perform them; and that it

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has hitherto answered little other purpose than that of amusing the lovers of philosophical morality.

The mode of proving, or of stating, the right to kill an assassin, is this:—"There is one case in which all extremities are justifiable; namely, when our life is assaulted and it becomes necessary for our preservation to kill the assailant. This is evident in a state of nature; unless it can be shown that we are bound to prefer the aggressor's life to our own; that is to say, to love our enemy *better* than ourselves, which can never be a debt of justice, nor any where appears to be a duty of charity."\* If I were disposed to hold argumentation like this, I would say, that although we may not be required to love our enemies *better* than ourselves, we are required to love them *as* ourselves, and that in the supposed case, it still would be a question equally balanced, which life ought to be sacrificed; for it is quite clear, that if we kill the assailant, we love him *less* than ourselves, which may, perhaps, militate a little against "a duty of charity." But the truth is, that the question is not whether we should love our enemy better than ourselves, but whether we should sacrifice the laws of christianity in order to preserve our lives—whether we should prefer the interests of religion to our own—whether we should be willing to "lose our life, for Christ's sake and the gospel's."

This system of *counter-crime* is of very loose ten-

\* Moral and Political Philosophy.

dency. The assailant violates his duties by attempting to kill me, and I, therefore, am to violate mine by actually killing him. Is his meditated crime then, a justification of my perpetrated crime? In the case of a condemned christian martyr who was about to be led to the stake, it is supposable, that by having contrived a mine, he may preserve his life by suddenly firing it and blowing his persecutors into the air. Would christianity justify the act? Or what should we say of him if he committed it? We should say that whatever his *faith* might be, his *practice* was very unsound; that he might *believe* the gospel, but that he certainly did not fulfil its duties. Now I contend that for all the purposes of the argument, the cases of the martyr and the assaulted person are precisely similar. He who was about to be led to the stake, and he who was about to lose his life by the assassin, are both required to regulate their conduct by the same laws, and are both to be prepared to offer up their lives in testimony of their allegiance to christianity: the one in allegiance to her, in opposition to the violation of her moral principles and her moral spirit; and the other, in opposition to errors in belief or to ecclesiastical corruptions. It is therefore in vain to tell me that the victim of persecution would have suffered for religion's sake, for so also would the victim of the ruffian. There is nothing in the sanctions of christianity, which implies that obedience to her moral law is of less consequence than an adherence to her *faith*; nor as it re-

spects the welfare of the world, does the consequence appear to be less ; for he, who by his fidelity to christianity, promotes the diffusion of christian dispositions and of peace, contributes, perhaps, as much to the happiness of mankind, as he, who by the same fidelity, recommends the acceptance of an accurate creed.

A great deal hangs upon this question, and it is therefore necessary to pursue it farther. We say, then, first—that Christianity has not declared that we are ever at liberty to kill other men : secondly—that she virtually prohibits it, because her principles and the practice of our Saviour are not compatible with it ; and, thirdly—that if christianity allowed it, she would in effect and in practice, allow *war*, without restriction to defence of life.

The first of these positions will probably not be disputed ; and upon the second, That christianity virtually prohibits the destruction of human life, it has been the principal object of this essay to insist. I would, therefore, only observe, that the conduct of the Founder of Christianity, when his *enemies approached him, "with swords and staves,"* appears to apply strictly to self-defence. These armed men came with the final purpose of murdering him ; but although he knew this purpose, he would not suffer the assailants to be killed or even to be wounded. Christ, therefore, would not preserve his own life by sacrificing another's.

But we say, thirdly, that if christianity allows us

to kill one another in self-defence, she allows *war*, without restriction to self-defence. Let us try what would have been the result if the Christian Scriptures had thus placed human life at our disposal: suppose they had said—*You may kill a ruffian in your own defence, but you may not enter into a defensive war.* The prohibition would admit, not of *some* exceptions to its application—the exceptions would be so many, that no prohibition would be left; because there is no practical limit to the right of self-defence, until we arrive at defensive war. If one man may kill one, two may kill two, and ten may kill ten, and an army may kill an army:—and this is defensive *war*. Supposing, again, the Christian Scriptures had said, *An army may fight in its own defence, but not for any other purpose.*—We do not say that the exceptions to *this* rule would be so many as wholly to nullify the rule itself; but we say that whoever will attempt to apply it in practice, will find that he has a very wide range of justifiable warfare; a range that will embrace many more wars, than moralists, laxer than we shall suppose him to be, are willing to defend. If an army may fight in defence of their own lives, they may, and they must fight in defence of the lives of others: If they may fight in defence of the lives of others, they will fight in defence of their property: If in defence of property, they will fight in defence of political rights: If in defence of rights, they will fight in promotion of interests: If in promotion of interests, they will fight

in promotion of their glory and their crimes. Now let any man of honesty look over the gradations by which we arrive at this climax, and I believe he will find that, *in practice*, no curb can be placed upon the conduct of an army until they reach it. There is, indeed, a wide distance between fighting in defence of life, and fighting in furtherance of our crimes; but the steps which lead from one to the other, will follow in inevitable succession. I know that the letter of our rule excludes it, but I know that the rule will be a letter only. It is very easy for us to sit in our studies, and to point the commas, and semicolons, and periods of the soldier's career; it is very easy for us to say he shall stop at defence of life, or at protection of property, or at the support of rights; but armies will never listen to us—we shall be only the Xerxes of morality throwing our idle chains into the tempestuous ocean of slaughter.

What is the testimony of experience? When nations are mutually exasperated, and armies are levied, and battles are fought, does not every one know that with whatever motives of defence one party may have begun the contest, both, in turn become aggressors? In the fury of slaughter, soldiers do not attend, they cannot attend, to questions of aggression. Their business is destruction, and their business they will perform. If the army of defence obtains success, it soon becomes an army of aggression. Having repelled the invader, it begins to punish him. If a war is once be-

gun, it is vain to think of distinctions of aggression and defence. Moralists may *talk* of distinctions, but soldiers will *make* none; and none can be made; it is without the limits of possibility.

But indeed, what is defensive war? A celebrated moralist defines it to be, war, undertaken in consequence of "*an injury* perpetrated, attempted, or feared;" which shows with sufficient clearness, how little *the assassin* concerns the question, for fear respecting life does not enter into the calculation of "*injuries*." So, then, if we fear some injury to our purses, or to our "*honour*," we are allowed to send an army to the country that gives us fear, and to slaughter its inhabitants; and this, we are told, is defensive war. By this system of reasoning, which has been happily called "*martial logic*," there will be little difficulty in proving any war to be defensive. Now we say that if christianity allows defensive war, she allows all war—except indeed that of simple aggression; and by the rules of this morality, the aggressor is difficult of discovery; for he whom we choose to "*fear*," may say that he had previous "*fear*" of us, and that his "*fear*" prompted the hostile symptoms which made us "*fear*" again.—The truth is, that to attempt to make any distinctions upon the subject, is vain. War must be wholly forbidden, or allowed without restriction to defence; for no definitions of lawful or unlawful war, will be, or can be, attended to. If the principles of christianity, in any case, or for any purpose, allow

armies to meet and to slaughter one another, her principles will never conduct us to the period which prophecy has assured us they shall produce. There is no hope of an eradication of war but by an absolute and total abandonment of it.\*

What then is the principle for which we contend? *An unreasoning reliance upon Providence for defence, in all those cases in which we should violate His laws by defending ourselves.* The principle can claim a species of merit, which must at least be denied to some systems of morality—that of simplicity, of easiness of apprehension, of adaptation to every understanding, of applicability to every circumstance of life.

If a wisdom which we acknowledge to be unerring, has determined and declared that any given conduct is right and that it is good for man, it appears preposterous and irreverent to argue that another can be better. The Almighty certainly *knows* our interests, and if he has not directed us in the path which promotes them, the conclusion is inevitable, that he has voluntarily directed us amiss.—Will the advocate of war abide this conclusion? And if he will not, how

\* It forms no part of a christian's business to inquire why his religion forbids any given actions, although I know not that the inquiry is reprehensible. In the case of personal attack, possibly christianity may decide, that if one of two men must be hurried from the world, of whom the first is so profligate as to assault the life of his fellow, and the other is so virtuous as to prefer the loss of life to the abandonment of christian principles—it is more consistent with her will that the good should be transferred to his hoped felicity, than that the bad should be consigned to punishment.

will he avoid the opposite conclusion, that the path of forbearance is the path of expediency?

It would seem to be a position of very simple truth, that it becomes an *erring* being, to regulate his actions by an acquiescent reference to an unerring will. That it is necessary for one of these erring beings, formally to insist upon this truth, and systematically to prove it to his fellows, may reasonably be a subject of grief and of shame. But the hardihood of guilt denies the truth, and the speculativeness of philosophy practically supersedes it;—and the necessity therefore remains.

We have seen that the duties of the religion which God has imparted to mankind require irrisistance; and surely it is reasonable to believe, even without a reference to experience, that he will make our irrisistance subservient to our interests—that if, for the purpose of conforming to his will, we subject ourselves to difficulty or danger, he will protect us in our obedience, and direct it to our benefit—that if he requires us not to be concerned in war, he will preserve us in peace—that he will not desert those who have no other protection, and who have abandoned all other protection because they confide in His alone.

And if we refer to experience, we shall find that the reasonableness of this confidence is confirmed. There have been thousands who have confided in Heaven in opposition to all their apparent interests, but of these thousands, has one eventually said that he repented his confidence, or that he reposed in vain?—"He

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that will lose his life for my sake and the gospel's, the same shall find it." If it be said that we take futurity into the calculation, in our estimate of *interest*, I answer—So we ought. Who is the man that would exclude futurity; or what are his principles? I do not comprehend the foundation of those objections to a reference to futurity which are thus flippantly made. Are we not immortal beings? Have we not interests beyond the present life? It is a deplorable temper of mind, which would diminish the frequency, or the influence, of our references to futurity. The prospects of the future *ought* to predominate over the sensations of the present. And if the attainment of this predominance be difficult, let us at least, not voluntarily, argumentatively, persuade ourselves to forego the prospect, or to diminish its influence.

Yet, even in reference only to the present state of existence, I believe we shall find that the testimony of experience is, that forbearance is most conducive to our interests.

Integer vitæ scelerisque purus  
Non eget Mauri jaculis neque arcu,  
Nec venenatis gravida sagittis,  
Fusce, pharetrâ.

HORACE.

And the same truth is delivered by much higher authority than that of Horace, and in much stronger language:—"If a man's ways please the Lord, he maketh even his *enemies to be at peace with him.*"

The reader of American history will recollect that in the beginning of the last century, a desultory and most dreadful warfare was carried on by the natives against the European settlers; a warfare that was provoked, as such warfare has almost always originally been, by the injuries and violence of the christians. The mode of destruction was secret and sudden. The barbarians sometimes lay in wait for those who might come within their reach on the highway or in the fields, and shot them without warning; and sometimes they attacked the Europeans in their houses, "scalping some, and knocking out the brains of others." From this horrible warfare, the inhabitants sought safety by abandoning their homes, and retiring to fortified places, or to the neighbourhood of garrisons: and those whom necessity still compelled to pass beyond the limits of such protection, provided themselves with arms for their defence. But amidst this dreadful desolation and universal terror, the *Society of Friends*, who were a considerable proportion of the whole population, were steadfast to their principles. They would neither retire to garrisons, nor provide themselves with arms. They remained openly in the country, whilst the rest were flying to the forts. They still pursued their occupations in the fields or at their homes, without a weapon either for annoyance or defence. And what was their fate? They lived in security and quiet. The habitation, which, to his armed neighbour, was the scene of murder and of the scalp-

ing knife, was to the unarmed Quaker a place of safety and of peace.

*Three* of the Society were however killed. And who were they? They were three who abandoned their principles. Two of these victims were men, who, in the simple language of the narrator, "used to go to their labour without any weapons, and trusted to the Almighty and depended on His providence to protect them; (it being their principle not to use weapons of war to offend others or to defend themselves;) *but a spirit of distrust* taking place in their minds, they took weapons of war to defend themselves, and the Indians, who had seen them several times without them and let them alone, saying they were peaceable men and hurt nobody, therefore they would not hurt them,—now seeing them have guns, and supposing they designed to kill the Indians, they therefore shot the men dead." The third whose life was sacrificed, was a woman, who "had remained in her habitation," not thinking herself warranted in going "to a fortified place for preservation, neither she, her son, nor daughter, nor to take thither the little ones; but the poor woman after some time began to let in a slavish fear, and advised her children to go with her to a fort not far from their dwelling." She went;—and shortly afterwards "the bloody, cruel Indians, lay by the way, and killed her."\*

\* See "Select Anecdotes, &c., by John Barclay," p. 71—79. In this little volume I have found some illustrations of the *policy* of the principle which we

The fate of the Quakers during the rebellion in Ireland was nearly similar. It is well known that the rebellion was a time not only of open war but of cold-blooded murder; of the utmost fury of bigotry, and the utmost exasperation of revenge. Yet the Quakers were preserved even to a proverb; and when strangers passed through streets of ruin and observed a house standing uninjured and alone, they would sometimes point, and say—"That, doubtless, was the house of a Quaker."

It were to no purpose to say, in opposition to the evidence of these facts, that they form an exception to a general rule.—The exception to the rule consists in the *trial* of the experiment of non-resistance, not in its *success*. Neither were it to any purpose to say, that the savages of America or the desperadoes of Ireland, spared the Quakers because they were *previously* known to be an unoffending people, or because the Quakers had *previously* gained the love of these by forbearance or good offices:—we concede all this; it is the very argument which we maintain. We say that

✱  
This is the  
Christian  
not the  
rule —

maintain in the case of a personal attack. Barclay, the celebrated Apologist, was attacked by a highwayman. He made no other resistance than a calm expostulation. The felon dropped his presented pistol and offered no farther violence. A Leonard Fell, was assaulted by a highway robber, who plundered him of his money and his horse, and afterwards threatened to blow out his brains. Fell solemnly spoke to the robber on the wickedness of his life. The man was astonished:—he declared he would take neither his money nor his horse, and returned them both.—"If thine enemy hunger, feed him,—for in so doing thou shalt heap coals of fire upon his head."

an *uniform, undeviating* regard to the peaceable obligations of christianity, *becomes the safeguard of those who practise it.* We venture to maintain that no reason whatever can be assigned, why the fate of the Quakers would not be the fate of *all* who should adopt their conduct. No reason can be assigned why, if their number had been multiplied ten fold or a hundred fold, they would not have been preserved. If there be such a reason, let us hear it. The American and Irish Quakers were, to the rest of the community, what one nation is to a continent. And we must require the advocate of war to produce, (that which has never yet been produced,) a reason for believing that although individuals exposed to destruction were preserved, a nation exposed to destruction would be destroyed. We do not however say, that if a people, in the customary state of men's passions, should be assailed by an invader, and should, on a sudden, choose to declare that they would try whether Providence would protect them—of such a people, we do not say that they would experience protection, and that none of them would be killed. But we say that the evidence of experience is, that a people who habitually regard the obligations of christianity in their conduct towards other men, and who steadfastly refuse, through whatever consequences, to engage in acts of hostility, *will experience protection in their peacefulness:* And it matters nothing to the argument, whether we refer that protection to the immediate agency of Providence,

or to the influence of such conduct upon the minds of men.

Such has been the experience of the unoffending and unresisting, in individual life. A *National* example of a refusal to bear arms, has only once been exhibited to the world: But that one example has proved, so far as its political circumstances enabled it to prove, all that humanity could desire, and all that scepticism could demand, in favour of our argument.

It has been the ordinary practice of those who have colonized distant countries, to force a footing or to maintain it, with the sword. One of the first objects has been to build a fort and to provide a military. The adventurers became soldiers, and the colony was a garrison.—Pennsylvania was however colonized by men who believed that war was absolutely incompatible with christianity, and who therefore resolved not to practise it. Having determined not to fight, they maintained no soldiers and possessed no arms. They planted themselves in a country that was surrounded by savages, and by savages who knew they were unarmed. If easiness of conquest, or incapability of defence, could subject them to outrage, the Pennsylvanians might have been the very sport of violence. Plunderers might have robbed them without retaliation, and armies might have slaughtered them without resistance. If they did not give a temptation to outrage, no temptation could be given. But these were the people who possessed their country in security,

whilst those around them were trembling for their existence. This was a land of peace, whilst every other was a land of war. The conclusion is inevitable, although it is extraordinary—they were in no need of arms *because they would not use them.*

These Indians were sufficiently ready to commit outrages upon other states, and often visited them with desolation and slaughter; with that sort of desolation, and that sort of slaughter, which might be expected from men whom civilization had not reclaimed from cruelty, and whom religion had not awed into forbearance. “But whatever the quarrels of the Pennsylvanian Indians were, with others, they uniformly respected and held as it were sacred, the territories of William Penn.”\* “The Pennsylvanians never lost man, woman, or child by them, which neither the colony of Maryland, nor that of Virginia could say, no more than the great colony of New England.”†

The security and quiet of Pennsylvania was not a transient freedom from war, such as might accidentally happen to any nation. She continued to enjoy it “for more than seventy years,”‡ and subsisted in the midst of six Indian nations, without so much as a militia for her defence.”§ “The Pennsylvanians became armed, though without arms; they became strong, though without strength; they became safe, without the ordinary means of safety.—The constable’s staff

\* Clarkson. † Oldmixon, Anno 1708. ‡ Proud, § Oldmixon.

was the only instrument of authority amongst them, for the greater part of a century, and never, during the administration of Penn or that of his proper successors, was there a quarrel or a war.”\*

I cannot wonder that these people were not molested—extraordinary and unexampled as their security was. There is something so noble in this perfect confidence in the Supreme Protector, in this utter exclusion of “slavish fear,” in this voluntary relinquishment of the means of injury or of defence, that I do not wonder that even ferocity could be disarmed by such virtue. A people, generously living without arms, amidst nations of warriors! Who would attack a people such as this? There are few men so abandoned as not to respect such confidence. It were a peculiar and an unusual intensity of wickedness that would not even revere it.

And when was the security of Pennsylvania molested, and its peace destroyed?—When the men who had directed its counsels and *who would not engage in war*, were *outvoted in its legislature*:—when *they who supposed that there was greater security in the sword than in christianity, became the predominating body*. From that hour, the Pennsylvanians transferred their confidence in christian principles, to a confidence in their arms; and from that hour to the present they have been subject to war.

Such is the evidence derived from a national exam-

\* Clarkson, Life of Penn.



ple of the consequences of a pursuit of the christian policy in relation to war. Here are a people who absolutely refused to fight, and who incapacitated themselves for resistance by refusing to possess arms, and this was the people whose land, amidst surrounding broils and slaughter, was selected as a land of security and peace. The only national opportunity which the virtue of the christian world has afforded us of ascertaining the safety of relying upon God for defence, has determined that it is safe.

If the evidence which we possess, do not satisfy us of the expediency of confiding in God, what evidence do we ask, or what can we receive? We have his promise that he will protect those who abandon their seeming interests in the performance of his will, and we have the testimony of those who have confided in him, that he has protected them. Can the advocate of war produce one single instance in the history of man, of a person who had given an unconditional obedience to the will of heaven, and who did not find that his conduct was *wise* as well as virtuous, that it accorded with his *interests* as well as with his duty? We ask the same question in relation to the peculiar obligations to irrisistance. Where is the man who regrets, that in observance of the forbearing duties of christianity, he consigned his preservation to the superintendence of God?—And the solitary national example that is before us, confirms the testimony of private life; for there is sufficient reason for believing

that no nation, in modern ages, has possessed so large a portion of virtue or of happiness, as Pennsylvania before it had seen human blood. I would therefore repeat the question—What evidence do we ask, or can we receive?

*This* is the point from which we wander—WE DO NOT BELIEVE IN THE PROVIDENCE OF GOD. When this statement is formally made to us, we think, perhaps, that it is not true; but our practice is an evidence of its truth—for if we did believe, we should also *confide* in it, and should be willing to stake upon it the consequences of our obedience.\* We can talk with sufficient fluency of “trusting in Providence,” but in the application of it to our conduct in life, we know wonderfully little. Who is it that confides in Providence, and for what does he trust Him? Does his confidence induce him to set aside his own views of interest and safety, and simply to obey precepts which appear inexpedient and unsafe? This is the confidence that is of value, and of which we know so little. There are many who believe that war is disallowed by christianity, and who would rejoice that it were for ever abolished, but there are few who are willing to maintain an undaunted and unyielding stand against it. They can talk of the loveliness of peace,

\* “The dread of being destroyed by our enemies if we do not go to war with them, is a plain and unequivocal proof of our disbelief in the superintendence of Divine Providence.”—*The Lawfulness of Defensive War impartially considered*; by a Member of the Church of England.

aye, and argue against the lawfulness of war, but when difficulty or suffering would be the consequence, they will not refuse to do what they know to be unlawful, they will not practise the peacefulness which they say they admire. Those who are ready to sustain the consequences of undeviating obedience are the supporters of whom christianity stands in need. She wants men who are willing to *suffer* for her principles.

It is necessary for us to know by what principles we are governed. Are we regulated by the injunctions of God, or are we not? If there be any lesson of morality which it is of importance to mankind to learn, and if there be any which they have not yet learnt, it is the necessity of simply performing the duties of christianity without reference to consequences. If we could persuade ourselves to do this, we should certainly pass life with greater consistency of conduct, and, as I firmly believe, in greater enjoyment and greater peace. The world has had many examples of such fidelity and confidence. Who have been the christian martyrs of all ages, but men who maintained their fidelity to christianity through whatever consequences? *They* were faithful to the christian creed; *we* ought to be faithful to the christian morality: without morality the profession of a creed is vain. Nay, we have seen that there have been martyrs to the duties of morality, and to these very duties of *peacefulness*. The duties remain the same, but where is our obedience?

I hope for the sake of his understanding and his heart, that the reader will not say I reason on the supposition that the world was, what it is not; and that although these duties may be binding upon us when the world shall become purer, yet that we must now accommodate ourselves to the state of things as they are. This is to say that in a land of assassins, assassination would be right. If no one begins to reform his practice, until others have begun before him, reformation will never be begun. If apostles, or martyrs, or reformers, had “accommodated themselves to the existing state of things,” where had now been christianity? The business of reformation belongs to him who sees that reformation is required. The world has no other human means of amendment. If you believe that war is not allowed by christianity, it is your business to oppose it; and if fear or distrust should raise questions on the consequences, apply the words of our Saviour—“What is that to thee?—Follow thou me.”

Our great misfortune in the examination of the duties of christianity, is, that we do not contemplate them with sufficient simplicity. We do not estimate them without some addition or abatement of our own; there is almost always some intervening medium. A sort of half-transparent glass is hung before each individual, which possesses endless shades of colour and degrees of opacity, and which presents objects with endless varieties of distortion. This glass is coloured

by our education and our passions. The business of moral culture is to render it transparent. The perfection of the perceptive part of moral culture is to remove it from before us.—*Simple obedience without reference to consequences*, is our great duty. I know that philosophers have told us otherwise : I know that we have been referred, for the determination of our duties, to calculations of expediency and of the future consequences of our actions :—but I believe that in whatever degree this philosophy directs us to forbear an unconditional obedience to the rules of our religion, it will be found, that when christianity shall advance in her purity and her power, she will sweep it from the earth with the besom of destruction.

The positions, then, which we have endeavoured to establish, are these :—

- I. That the general character of Christianity is wholly incongruous with war, and that its general duties are incompatible with it.
- II. That some of the express precepts and declarations of Jesus Christ virtually forbid it.
- III. That His practice is not reconcileable with the supposition of its lawfulness.
- IV. That the precepts and practice of the apostles correspond with those of our Lord.
- V. That the primitive Christians believed that Christ had forbidden war; and that some of them suffered death in affirmance of this belief.
- VI. That God has declared in prophecy, that it is

His will that war should eventually be eradicated from the earth : and this eradication will be effected by Christianity, by the influence of its *present* principles.

- VII. That those who have refused to engage in war, in consequence of their belief of its inconsistency with Christianity, have found that Providence has protected them.

Now we think that the establishment of any considerable number of these positions is sufficient for our argument. The establishment of the whole, forms a body of evidence, to which I am not able to believe that an inquirer, to whom the subject was new, would be able to withhold his assent. But since such an inquirer cannot be found, I would invite the reader to lay prepossession aside, to suppose himself to have now first heard of battles and slaughter, and dispassionately to examine whether the evidence in favour of peace be not very great, and whether the objections to it bear any proportion to the evidence itself. But whatever may be the determination upon this question, surely it is reasonable to try the experiment whether security cannot be maintained without slaughter. Whatever be the reasons for war, it is certain that it produces enormous mischief. Even waving the obligations of christianity, we have to choose between evils that are certain, and evils that are doubtful ; between the actual endurance of a great calamity, and the possibility of a less. It certainly cannot be proved

that peace would not be the best policy ; and since we know that the present system is bad, it were reasonable and wise to try whether the other is not better. In reality, I can scarcely conceive the possibility of greater evil than that which mankind now endure ; an evil, moral and physical, of far wider extent, and far greater intensity, than our familiarity with it allows us to suppose. If a system of peace be not productive of less evil than the system of war, its consequences must indeed be enormously bad ; and that it would produce such consequences, we have no warrant for believing either from reason or from practice—either from the principles of the moral government of God, or from the experience of mankind. Whenever a people shall pursue, steadily and uniformly, the pacific morality of the gospel, and shall do this from the pure motive of obedience, there is no reason to fear for the consequences : there is no reason to fear that they would experience any evils such as we now endure, or that they would not find that Christianity understands their interests better than themselves ; and that the surest, and the only rule of wisdom, of safety, and of expediency, is to maintain her spirit in every circumstance of life.

“There is reason to expect,” says Dr. Johnson, “that as the world is more enlightened, policy and morality will at last be reconciled.”\* When this en-

\* Falkland's Islands.

lightened period shall arrive, we shall be approaching, and we shall not till then approach, that era of purity and of peace, when "violence shall be no more heard in our land, wasting nor destruction within our borders"—that era in which God has promised that "they shall not hurt nor destroy in all His holy mountain." That a period like this will come, I am not able to doubt: I believe it because it is not credible that He will always endure the butchery of man by man; because he has declared that he will not endure it; and because I think there is a perceptible approach of that period in which he will say—"It is enough."\* In this belief I rejoice: I rejoice that the number is increasing of those who are asking,—“Shall the sword devour for ever?” and of those who, whatever be the opinions or the practice of others, are openly saying, “I am for peace.”†

Whether I have succeeded in establishing the position THAT WAR, OF EVERY KIND, IS INCOMPATIBLE WITH CHRISTIANITY, it is not my business to determine; but of this, at least, I can assure the reader, that I would not have intruded this inquiry upon the public, if I had not believed, with undoubting confidence, that the position is accordant with everlasting truth;—with that truth which should regulate our conduct here, and which will not be superseded in the world that is to come.

\* 2 Sam. xxiv. 16.

† Psalm cxx. 7.



### III.

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#### OBSERVATIONS ON THE EFFECTS OF WAR.

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*War's least horror is th' ensanguined field.—Barbauld.*

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THERE are few maxims of more unfailing truth than that “A tree is known by its fruits;” and I will acknowledge that if the lawfulness of war were to be determined by a reference to its consequences, I should willingly consign it to this test, in the belief that, if popular impressions were suspended, a good, or a benevolent, or a reasoning man, would find little cause to decide in its favour.

In attempting to illustrate some of the effects of war, it is my purpose to inquire not so much into its civil or political, as into its moral consequences; and of the latter, to notice those, chiefly, which commonly

obtain little of our inquiry or attention. To speak strictly indeed, civil and political considerations are necessarily involved in the moral tendency: for the happiness of society is always diminished by the diminution of morality; and enlightened policy knows that the greatest support of a state is the virtue of the people.

The reader needs not be reminded of—what nothing but the frequency of the calamity can make him forget—the intense sufferings and irreparable deprivations which a battle inevitably entails upon private life. These are calamities of which the world thinks little, and which, if it thought of them, it could not remove. A father or a husband can seldom be replaced: a void is created in the domestic felicity, which there is little hope that the future will fill. By the slaughter of a war, there are thousands who weep in unpitied and unnoticed secrecy, whom the world does not see; and thousands who retire, in silence, to hopeless poverty, for whom it does not care. To these, the conquest of a kingdom is of little importance. The loss of a protector or a friend is ill repaid by empty glory. An addition of territory may add titles to a king, but the brilliancy of a crown throws little light upon domestic gloom. It is not my intention to insist upon these calamities, intense, and irreparable, and unnumbered as they are; but those who begin a war without taking them into their estimates of its consequences, must be regarded as, at most,

half-seeing politicians. The legitimate object of political measures is the good of the people—and a great sum of good a war must produce, if it outbalances even *this* portion of its mischiefs.

In the more obvious effects of war, there is, however, a sufficient sum of evil and wretchedness. The most dreadful of these is the destruction of human life. The frequency with which this destruction is represented to our minds has almost extinguished our perception of its awfulness and horror. In the interval between Anno 1141 and 1815, our country has been at war with France alone, *two hundred and sixty-six years*. If to this we add our wars with other countries, probably we shall find that one half of the last six or seven centuries has been spent by this country in war! A dreadful picture of human violence! There is no means of knowing how many victims have been sacrificed during this lapse of ages. Those who have fallen in battle, and those who have perished “in tents and ships, amidst damps and putrefaction,” probably amount to a number, greater than the number of men now existing in France and England together. And where is our equivalent good?—“The wars of Europe, for these two hundred years last past, by the confession of all parties, have really ended in the advantage of none, but to the manifest detriment of all.” This is the testimony of the celebrated Dr. Josiah Tucker, Dean of Gloucester: And Erasmus has said, “I know not whether ANY war ever succeeded so for-

unately in all its events, but that the conqueror, if he had a heart to feel or an understanding to judge as he ought to do, repented that he had ever engaged in it at all."

Since the last war, we have heard much of the distresses of the country; and whatever be the opinion whether they have been brought upon us by the peace, none will question whether they have been brought upon us by war. The peace may be the occasion of them, but war has been the cause. I have no wish to declaim upon the amount of our national debt—that it is a great evil, and that it has been brought upon us by successive contests, no one disputes. Such considerations ought, undoubtedly, to influence the conduct of public men in their disagreements with other states, even if higher considerations do not influence it. They ought to form part of the calculations of the evil of hostility. I believe that a greater mass of human suffering and loss of human enjoyment are occasioned by the pecuniary distresses of a war, than any ordinary advantages of a war compensate. But this consideration seems too remote to obtain our notice. Anger at offence, or hope of triumph, overpowers the sober calculations of reason, and outbalances the weight of after and long continued calamities. If the happiness of the people were, what it ought to be, the primary and the ultimate object of national measures, I think that the policy which pursued this object, would often find that even the pecuniary distresses resulting

from a war make a greater deduction from the quantum of felicity, than those evils which the war may have been designed to avoid. At least the distress is certain; the advantage doubtful. It is known that during the past eight years of the present peace, a considerable portion of the community have been in suffering in consequence of war. Eight years of suffering to a million of human creatures, is a serious thing! "It is no answer to say, that this universal suffering, and even the desolation that attends it, are the inevitable consequences and events of war, how warrantably soever entered into, but rather an argument that *no war* can be warrantably entered into, that may produce such intolerable mischiefs."\*

There is much of truth, as there is of eloquence, in these observations of one of the most acute intellects that our country has produced :—"It is wonderful with what coolness and indifference the greater part of mankind see war commenced. Those that hear of it at a distance, or read of it in books, but have never presented its evils to their minds, consider it as little more than a splendid game, a proclamation, an army, a battle, and a triumph. Some, indeed, must perish in the most successful field; but they *die upon the bed of honour, resign their lives amidst the joys*

\* Lord Clarendon—who, however, excepts those wars which are likely "to introduce as much benefit to the world, as damage and inconvenience to a part of it." The morality of this celebrated man, also, seems thus to have been wrecked upon the rock of *expediency*.

*of conquest, and filled with England's glory, smile in death.* The life of a modern soldier is ill represented by heroic fiction. War has means of destruction more formidable than the cannon and the sword. Of the thousands and ten thousands that perished in our late contests with France and Spain, a very small part ever felt the stroke of an enemy. The rest languished in tents and ships, amidst damps and putrefaction, gasping and groaning, unpitied amongst men made obdurate by long continuance of hopeless misery; and were at last whelmed in pits, or heaved into the ocean, without notice, and without remembrance. By incommodious encampments and unwholesome stations, where courage is useless and enterprise impracticable, fleets are silently dispeopled, and armies sluggishly melted away.

“Thus is a people gradually exhausted for the most part with little effect. The wars of civilized nations make very slow changes in the system of empire. The public perceives scarcely any alteration but an increase of debt; and the few individuals who are benefitted, are not supposed to have the clearest right to their advantages. If he that shared the danger, enjoyed the profit, and after bleeding in the battle, grew rich by the victory, he might show his gains without envy. But at the conclusion of a ten years' war, how are we recompensed for the death of multitudes, and the expense of millions, but by contemplating the sudden glories of paymasters and agents, and contractors

and commissaries, whose equipages shine like meteors, and whose palaces rise like exhalations?

"These are the men, who without virtue, labour, or hazard, are growing rich as their country is impoverished; they rejoice when obstinacy or ambition adds another year to slaughter and devastation, and laugh from their desks at bravery and science, while they are adding figure to figure, and cipher to cipher, hoping for a new contract from a new armament, and computing the profits of a siege or a tempest."\*

Our business, however, is principally with the moral effects of war.

"The tenderness of nature, and the integrity of manners, which are driven away or powerfully discounted by the corruption of war, are not quickly recovered—and the weeds which grow up in the shortest war, can hardly be pulled up and extirpated without a long and unsuspected peace."—"War introduces and propagates opinions and practice as much against heaven as against earth;—it lays our natures and manners as waste as our gardens and our habitations; and we can as easily preserve the beauty of the one as the integrity of the other, under the cursed jurisdiction of drums and trumpets."†

"War does more harm to the morals of men than even to their property and persons."‡ "It is a temporary repeal of all the principles of virtue."§ "There

\* Johnson—Falkland's Islands.

† Lord Clarendon's Essays.

‡ Erasmus.

§ Hall.

is not a virtue of gospel goodness but has its death-blow from war."\*

I do not know whether the greater sum of moral evil resulting from war, is suffered by those who are immediately engaged in it, or by the public. The mischief is most extensive upon the community, but upon the profession it is most intense.

*Rara fides pietasque viris qui castra sequuntur.*

LOCAN.

No one pretends to applaud the morals of an army, and for its religion, few think of it at all. A soldier is depraved even to a proverb. The fact is too notorious to be insisted upon, that thousands who had filled their stations in life with propriety, and been virtuous from principle, have lost, by a military life, both the practice and the regard of morality; and when they have become habituated to the vices of war, have laughed at their honest and plodding brethren who are still spiritless enough for virtue, or stupid enough for piety. The vices which once had shocked them, become the subject, not of acquiescence, but of exultation. "Almost all the professions," says Dr. Knox, "have some characteristic manners which the professors seem to adopt with little examination, as necessary and as honourable distinctions. It happens, unfortunately, that profligacy, libertinism and infidelity, are

\* William Law, A. M.



thought, by weaker minds, almost as necessary a part of a soldier's uniform, as his shoulder-knot. To hesitate at an oath, to decline intoxication, to profess a regard for religion, would be almost as ignominious as to refuse a challenge."\*

It is, however, not necessary to insist upon the immoral influence of war upon the military character, since no one probably will dispute it. Nor is it difficult to discover how the immorality is occasioned. It is obvious that those who are continually engaged in a practice, "in which almost all the vices are incorporated," and who promote this practice with individual eagerness, cannot, without the intervention of a miracle, be otherwise than collectively depraved.

If the soldier engages in the destruction of his species he should at least engage in it with reluctance, and abandon it with joy. The slaughter of his fellow men should be dreadful in execution and in thought. But what is his aversion or reluctance? He feels none—it is not even a subject of seriousness to him. He butchers his fellow candidates for heaven, as a woodman fells a coppice; with as little reluctance, and as little regret.

Those who will compute the tendency of this familiarity with human destruction, cannot doubt whether it will be pernicious to the moral character. What is the hope, that he who is familiar with murder, who

\* Essays.—No. 19. Knox justly makes much exception to the applicability of these censures.

has himself often perpetrated it, and who exults in the perpetration, will retain undepraved the principles of virtue? His moral feelings are blunted: His moral vision is obscured. We say his *moral vision* is obscured; for we do not think it possible that he should retain even the *perception* of christian purity. The soldier, again, who plunders the citizen of another nation without remorse or reflection, and bears away the spoil with triumph, will inevitably lose something of his principles of probity. These principles are shaken; an inroad is made upon their integrity, and it is an inroad that makes after inroads the more easy. Mankind do not generally resist the influence of habit. If we rob and shoot those who are "enemies" to-day, we are in some degree prepared to shoot and rob those who are not enemies to-morrow. The strength of the restraining *moral principle* is impaired. Law may, indeed, still restrain us from violence; but the power and efficiency of principle is diminished. And this alienation of the mind from the practice, the love and the perception of christian purity, therefore of necessity extends its influence to the other circumstances of life; and it is *hence*, in part, that the general profligacy of armies arises. That which we have not practised in war we are little likely to practise in peace; and there is no hope that we shall possess the goodness which we neither *love* nor *perceive*.

Another means by which war becomes pernicious to the moral character of the soldier, is the incapacity

which the profession occasions for the sober pursuits of life. "The profession of a soldier," says Dr. Paley, "almost always unfits men for the business of regular occupations." On the question, whether it be better that of three inhabitants of a village, one should be a soldier and two husbandmen, or that all should occasionally become both, he says, that from the latter arrangement the country receives three raw militia men and three *idle and profligate peasants*. War cannot be continual. Soldiers must sometimes become citizens: and citizens who are unfit for stated business will be idle; and they who are idle will scarcely be virtuous. A political project, therefore, such as a war, which will eventually pour fifty or a hundred thousand of such men upon the community, must of necessity be an enormous evil to a state. It were an infelicitous defence to say, that soldiers do not become idle until the war is closed or they leave the army.—To keep men out of idleness by employing them in cutting other men's limbs and bodies, is at least an extraordinary economy; and the profligacy still remains; for unhappily if war keeps soldiers busy, it does not keep them good.

By a peculiar and unhappy coincidence, the moral evil attendant upon the profession is perpetuated by the after system of *Half-pay*. We have no concern with this system on political or pecuniary considerations; but it will be obvious that those who return from

war, with the principles and habits of war, are little likely to improve either by a life without necessary occupation or express object. By this system, there are thousands of men in the prime, or in the bloom of life, who live without such object or occupation. This would be an evil if it happened to any set of men, but upon men who have been soldiers the evil is peculiarly intense. He whose sense of moral obligation has been impaired by the circumstances of his former life, and whose former life has induced habits of disinclination to regular pursuits, is the man who, above all others, it is unfortunate for the interests of purity should be supported on "half-pay." If war have occasioned "unfitness for regular occupations," he will not pursue them; if it have familiarized him with profligacy, he will be little restrained by virtue. And the consequences of consigning men under such circumstances to society, at a period of life when the mind is busy and restless and the passions are strong, must, of inevitable necessity, be bad.—The officer who leaves the army with the income only which the country allows him, often finds sufficient difficulty in maintaining the character of a gentleman. A gentleman however he will be; and he who resolves to appear rich whilst he is poor, who will not increase his fortune by industry, and who has learnt to have few restraints from principle, sometimes easily persuades himself to pursue schemes of but very exceptionable probity.

Indeed, by his peculiar law, the "law of honour," honesty is not required.

I do not know whether it be *politic* that he who has held a commission should not be expected to use a ledger or a yard; but since, by thus becoming a "military gentleman," the number is increased of those who regulate their conduct by the law of honour, the rule is necessarily pernicious in its effects. When it is considered that this law allows of "profaneness, neglect of public worship and private devotion, cruelty to servants, rigorous treatment of tenants or other dependants, want of charity to the poor, injuries to tradesmen by insolvency or delay of payment, with numberless examples of the same kind;" that it is, "in most instances, favourable to the licentious indulgence of the natural passions"; that it allows of adultery, drunkenness, prodigality, duelling and of revenge in the extreme"—when all this is considered, it is manifestly inevitable, that those who regulate their conduct by the maxims of such a law, must become, as a body, reduced to a low station in the scale of morality.†

\* Dr. Paley.

† There is something very unmanly and cowardly in some of the maxims of this law of honour. How unlike the fortitude, the manliness of real courage, are the motives of him who fights a duel! He accepts a challenge, commonly because he is afraid to refuse it. The question with him, is, whether he fears more, a *pistol* or the *world's dread frown*; and his conduct is determined by the preponderating influence of one of these objects of fear. If I am told that he probably feels no fear of death; I answer, that if he fears not the death of a duellist, his principles have sunk to that abyss of depravity, whence nothing but the interposition of Omnipotence is likely to reclaim them.

We insist upon these things *because they are the consequences of war*. We have no concern with "half pay," or with the "law of honour;" but with war, which extends the evil of the one, and creates the evil of the other. Soldiers may be depraved—and part of their depravity is undoubtedly their crime, but part also is their misfortune. *The whole evil* is imputable to war; and we say that this evil forms a powerful evidence against it, whether we direct that evidence to the abstract question of its lawfulness or to the practical question of its expediency. *That* can scarcely be lawful, which necessarily occasions such enormous depravity. *That* can scarcely be expedient, which is so pernicious to virtue, and therefore to the state.

The economy of war requires of every soldier, an implicit submission to his superior; and this submission is required of every gradation of rank to that above it. This system may be necessary to hostile operations, but I think it is unquestionably adverse to intellectual and moral excellence.

The very nature of unconditional obedience implies the relinquishment of the use of the reasoning powers. Little more is required of the soldier than that he be obedient and brave. His obedience is that of an animal, which is moved by a goad or a bit, without judgment or volition of his own; and his bravery is that of a mastiff which fights whatever mastiff others puts before him.—It is obvious that in such agency, the intellect and the understanding have little part. Now I

think that this is important. He who, with whatever motive, resigns the direction of his conduct implicitly to another, surely cannot retain that erectness and independence of mind, that manly consciousness of mental freedom, which is one of the highest privileges of our nature. The rational being becomes reduced in the intellectual scale: an encroachment is made upon the integrity of its independence. God has given us, individually, capacities for the regulation of our individual conduct. To resign its direction, therefore, to the despotism of another, appears to be an unmanly and unjustifiable relinquishment of the privileges which he has granted to us. Referring simply to the conclusions of reason, I think those conclusions would be that military obedience must be pernicious to the mind. And if we proceed from reasoning to facts, I believe that our conclusions will be confirmed. Is the military character distinguished by intellectual eminence? Is it not distinguished by intellectual inferiority? I speak of course of the *exercise* of intellect, and I believe that if we look around us, we shall find that no class of men, in a parallel rank in society, exercise it less, or less honourably to human nature, than the military profession.\* I do not however attribute the want of intel-

\* This inferiority will probably be found less conspicuous in the private than in his superiors. Employment in different situations, or in foreign countries, and the consequent acquisition of information, often make the private soldier superior in intelligence to laborers and mechanics; a cause of superiority, which, of course, does not similarly operate amongst men of education.

lectual excellence, solely to the implicit submissions of a military life. Nor do I say that this want is so much the fault of the soldier, as of the circumstances to which he is subjected. We attribute this evil also, to its rightful parent. The resignation of our actions to the direction of a foreign will, is made so familiar to us by war, and is mingled with so many associations which reconcile it, that I am afraid lest the reader should not contemplate it with sufficient abstraction.—Let him remember that *in nothing but in war* do we submit to it.

It becomes a subject yet more serious, if military obedience requires the relinquishment of our moral agency, if it requires us to do, not only what may be opposed to our will, but what is opposed to our consciences. And it does require this; a soldier must obey, how criminal soever the command, and how criminal soever he knows it to be. It is certain that of those who compose armies, many commit actions which they believe to be wicked, and which they would not commit but for the obligations of a military life. Although a soldier determinately believes that the war is unjust, although he is convinced that his particular part of the service is atrociously criminal, still he must proceed—he must prosecute the purposes of injustice or robbery; he must participate in the

We would here beg the reader to bear in his recollection, the limitations which are stated in the preface, respecting the application of any apparent severity in our remarks.



guilt and be himself a robber. When we have sacrificed thus much of principle, what do we retain? If we abandon all use of our perceptions of good and evil, to what purpose has the capacity of perception been given? It were as well to possess no sense of right and wrong, as to prevent ourselves from the pursuit or rejection of them. To abandon some of the most exalted privileges which heaven has granted to mankind, to refuse the acceptance of them, and to throw them back, as it were, upon the Donor is surely little other than profane. He who *hida* talent was of old punished for his wickedness—what then is the offence of him who refuses to receive it? Such a resignation of our moral agency is not contended for or tolerated in any one other circumstance of human life. War stands upon this pinnacle of depravity alone. She, only, in the supremacy of crime, has told us that she has abolished even the obligation to be virtuous.

To what a situation is a rational and responsible being reduced, who commits actions, good or bad, mischievous or beneficial at the word of another! I can conceive no greater degradation. It is the lowest, the final abjectness of the moral nature. It is *this* if we abate the glitter of war, and if we add this glitter it is nothing more. Surely the dignity of reason, and the light of revelation, and our responsibility to God, should make us pause before we become the voluntary subjects of this monstrous system.

I do not know, indeed, under what circumstances

of *responsibility* a man supposes himself to be placed, who thus abandons and violates his own sense of rectitude and of his duties. Either he is responsible for his actions or he is not; and the question is a serious one to determine. Christianity has certainly never stated any cases in which personal responsibility ceases. If she admits such cases, she has at least not told us so; but she has told us, explicitly and repeatedly, that she does require individual obedience and impose individual responsibility. She has made no exceptions to the imperativeness of her obligations, whether we are required to neglect them or not; and I can discover in her sanctions, no reason to suppose that in her final adjudications she admits the plea *that another required us to do, that which she required us to forbear*.—But it may be feared, it may be *believed*, that how little soever religion will abate of the responsibility of those who obey, she will impose not a little upon those who command. They, at least, are answerable for the enormies of war; unless, indeed, any one shall tell me that responsibility attaches no where, that that which would be wickedness in another man, is innocence in a soldier, and that Heaven has granted to the directors of war, a privileged immunity, by virtue of which crime incurs no guilt and receives no punishment.

It appears to me that the obedience which war exacts to arbitrary power, possesses more of the character of servility and even of slavery, than we are

accustomed to suppose ; and as I think this consideration may reasonably affect our feeling of independence, how little soever higher considerations may affect our consciences, I would allow myself in a few sentences upon the subject. I will acknowledge that when I see a company of men in a stated dress, and of a stated colour, ranged, rank and file, in the attitude of obedience, turning or walking at the word of another, now changing the position of a limb and now altering the angle of a foot, I feel humiliation and shame. I feel humiliation and shame when I think of the capacities and the prospects of man, at seeing him thus drilled into obsequiousness and educated into machinery. I do not know whether I shall be charged with indulging in idle sentiment or idler affectation. If I hold unusual language upon the subject, let it be remembered that the subject is itself unusual. I will retract my affectation and sentiment, if the reader will show me any case in life parallel to that to which I have applied it.

No one questions whether military power *be* arbitrary. *That which governs an army*, says Paley, is DESPOTISM: and the subjects of despotic power we call slaves. Yet a man may live under an arbitrary prince with only the *liability* to slavery ; he may live and die, unmolested in his person and unrestrained in his freedom. But the despotism of an army is an operative despotism, and a soldier is practically and personally a slave. Submission to arbitrary authority

is the business of his life : the will of the despot is his rule of action.

It is vain to urge that if this be slavery, every one who labours for another is a slave ; because there is a difference between the subjection of a soldier and that of all other labourers, in which the essence of slavery consists. If I order my servant to do a given action, he is at liberty, if he think the action improper, or if, from any other cause, he choose not to do it, to refuse his obedience. I can discharge him from my service indeed, but I cannot *compel* obedience or *punish* his refusal. The soldier is thus punished or compelled. It matters not whether he have entered the service voluntarily or involuntarily : being there, he is required to do what may be, and what in fact often is, opposed to his will and his judgment. If he refuse obedience he is dreadfully punished ; his flesh is lacerated and torn from his body, and finally, if he persist in his refusal, he may be shot. Neither is he permitted to leave the service. His natural right to go whither he would, of which nothing but his own crimes otherwise deprives him, is denied to him by war. If he attempt to exercise this right he is pursued as a felon, he is brought back in irons, and is miserably tortured for "desertion." This, therefore, we think is slavery.

I have heard it contended that an apprentice is a slave equally with a soldier ; but it appears to be forgotten that an apprentice is consigned to the govern-

ment of another because he is not able to govern himself. But even were apprenticeship to continue through life, it would serve the objection but little. Neither custom nor law allows a master to require his apprentice to do an immoral action. There is nothing in his authority analogous to that which compels a soldier to do what he is persuaded is wicked or unjust. Neither, again, can a master compel the obedience of an apprentice by the punishments of a soldier. Even if his commands be reasonable, he cannot, for refractoriness, torture him into a swoon and then revive him with stimulants only to torture him again; still less can he take him to a field and shoot him. And if the command be vicious, he may not punish his disobedience at all.—Bring the despotism that governs an army into the government of the state, and what would Englishmen say? They would say, with one voice, that Englishmen were slaves.

If this view of military subjection fail to affect our pride, we are to attribute the failure to that power of public opinion by which all things seem reconcileable to us; by which situations that would otherwise be loathsome and revolting, are made not only tolerable but pleasurable. Take away the influence and the gloss of public opinion from the situation of a soldier, and what should we call it? We should call it a state of insufferable degradation; of pitiable slavery. But public opinion, although it may influence notions cannot alter things. Whatever may be our notion of the

soldier's situation, he has indisputably resigned both his moral and his natural liberty to the government of despotic power. He has added to ordinary slavery, the slavery of the conscience; and he is therefore, in a twofold sense, a slave.

If I be asked why I thus complain of the nature of military obedience, I answer, with Dr. Watson, that all "Despotism is an offence against natural justice; it is a degradation of the dignity of man, and ought not, on any occasion, to be either practised or submitted to:"—I answer that the obedience of a soldier does, in point of fact, depress the erectness and independence of his mind;—I answer, again, that it is a sacrifice of his moral agency, which impairs and vitiates his principles, and which our religion emphatically condemns; and, finally and principally I answer, that such obedience is not defended or permitted for any other purpose than the prosecution of war, and that it is therefore a powerful evidence against the solitary system that requires it. I do not question the necessity of despotism to war: it is because I know that it is necessary that I thus refer to it; for I say that *whatever* makes such despotism and consequent degradation and vice necessary, must itself be bad, and must be utterly incompatible with the principles of christianity.\*

\* I would scarcely refer to the monstrous practice of impressing seamen, because there are many who deplore and many who condemn it. Whether this also be necessary to war, I know not:—probably it is necessary; and if it be,

Yet I do not know whether, in its effects on the military character, the greatest moral evil of war is to be sought. Upon the community its effects are indeed less apparent, because they who are the secondary subjects of the immoral influence are less intensely affected by it than the immediate agents of its diffusion. But whatever is deficient in the degree of evil, is probably more than compensated by its extent. The influence is like that of a continual and noxious vapour; we neither regard nor perceive it, but it secretly undermines the moral health.

Every one knows that vice is contagious. The depravity of one man has always a tendency to deprave his neighbours; and it therefore requires no unusual acuteness to discover, that the prodigious mass of immorality and crime, which are accumulated by a war, must have a powerful effect in "demoralizing" the public. But there is one circumstance connected with the injurious influence of war, which makes it peculiarly operative and malignant. It is, that we do not hate or fear the influence, and do not fortify ourselves against it. Other vicious influences insinuate themselves into our minds by stealth; but this we receive with open embrace. If a felon exhibits an example of depravity and outrage, we are little likely to be

I would ask no other evidence against the system that requires it. Such an invasion of the natural rights of man, such a monstrous assumption of arbitrary power, such a violation of every principle of justice, cannot possibly be necessary to any system of which christianity approves.

corrupted by it ; because we do not love his conduct or approve it. But from whatever cause it happens, the whole system of war is the subject of our complacency or pleasure ; and it is *therefore* that its mischief is so immense. If the soldier who is familiarized with slaughter and rejoices in it, loses some of his christian dispositions, the citizen who, without committing the slaughter, unites in the exultation, loses also some of his. If he who ravages a city and plunders its inhabitants, impairs his principles of probity, he who approves and applauds the outrage, loses also something of his integrity or benevolence. We acknowledge these truths when applied to other cases. It is agreed that a frequency of capital punishments has a tendency to make the people callous, to harden them against human suffering, and to deprave their moral principles. And the same effect will necessarily be produced by war, of which the destruction of life is incomparably greater, and of which our abhorrence is incomparably less.—The simple truth is that we are gratified and delighted with things which are incompatible with christianity, and that our minds therefore become alienated from its love. Our affections cannot be fully directed to “two masters.” If we love and delight in war, we are little likely to love and delight in the dispositions of christianity.—And the evil is in its own nature of almost universal operation. During a war, a whole people become familiarized with the utmost excesses of enormity—with the utmost inten-



sity of human wickedness—and they rejoice and exult in them ; so that there is probably not an individual in a hundred who does not lose something of his christian principles by a ten years' war.

The effect of the system in preventing the perception, the love, and the *operation* of christian principles, in the minds of men who know the nature and obligations of them, needs little illustration. We often *see* that christianity cannot accord with the system, but the conviction does not often operate on our minds. In one of the speeches of Bishop Watson in the House of Lords, there occur these words:—"Would to God, my Lords, that the spirit of the christian religion would exert its influence over the hearts of individuals in their public capacity ; then would revenge, avarice, and ambition, which have fattened the earth with the blood of her children, be banished from the counsels of princes and there would be no more war. The time will come—the prophet hath said it and I believe it—the time will assuredly come when nation, literally speaking, shall no longer lift up hand against nation.—No man will rejoice, my Lords, more than I shall, to see the time when peace shall depend on an obedience to the benevolent principles of the gospel."\* This is language becoming a Christian. Would it have been believed that this same man voluntarily and studiously added almost one half to the power of gun-

\* Life of Bishop Watson.

powder, in order that the ball which before would kill but six men, might now kill ten—and that he did this, knowing that its purpose was to spread wider destruction and bloodier slaughter? Above all, would it be believed that he recorded this achievement as an evidence of his sagacity, and that he recorded it in the book which contains the declarations I have quoted?

The same consequences attach to the influence of the soldier's personal character. Whatever that character be, if it arise out of his profession, we seldom regard it with repulsion. We look upon him as a man whose *honour and spirit* compensate for "venial errors." If he be spirited and gallant, we ask not for his virtue and care not for his profligacy. We look upon the sailor as a brave and noble fellow, who may reasonably be allowed in droll profaneness, and sailor-like debaucheries—debaucheries, which, in the paid-off crew of a man-of-war, seem sometimes to be animated by

——the dissolute<sup>st</sup> Spirit that fell,

The fleshliest Incubus.

We are, however, much diverted by them. The sailor's cool and clumsy vices are very amusing to us; and so that he amuses us we are indifferent to his crimes. That some men should be wicked, is bad—that the many should feel complacency in wickedness is, perhaps, worse. We may flatter ourselves with dreams of our own virtue, but that virtue is very questionable—those principles are very unoperative, which

permit us to receive pleasure from the contemplation of human depravity, with whatever "honour or spirit" that depravity is connected. Such principles and virtue will oppose, at any rate, little resistance to temptation. An abhorrence of wickedness is more than an outwork of the moral citadel. He that does not hate vice has opened a passage for its entrance.\*

I do not think that those who feel an interest in the virtue and the happiness of the world will regard the animosity of party and the restlessness of resentment which are produced by a war, as trifling evils. If any thing be opposite to christianity it is retaliation and revenge. In the obligation to restrain these dispositions, much of the characteristic placability of christianity consists. The very essence and spirit of our religion are abhorrent from resentment.—The very essence and spirit of war are promotive of resentment; and what then must be their mutual adverseness? That war excites these passions, needs not be proved. When a war is in contemplation, or when it has been begun, what are the endeavours of its promoters? They animate us by every artifice of excitement to hatred and animosity. Pamphlets, placards, newspapers, carica-

\* All sober men allow this to be true in relation to the influence of those *Novels* which decorate a profligate character with objects of attraction. They allow that our complacency with these subjects abates our hatred of the accompanying vices.—And the same also is true in relation to war; with the difference, indeed, which is likely to exist between the influence of the vices of fiction and that of the vices of real life.

tures—every agent is in requisition to irritate us into malignity. Nay, dreadful as it is, the pulpit resounds with declamations to stimulate our too sluggish resentment and to invite us to blood.—And thus the most unchristian-like of all our passions, the passion which it is most the object of our religion to repress, is excited and fostered. Christianity cannot be flourishing under circumstances like these. The more effectually we are animated to war, the more nearly we extinguish the dispositions of our religion. War and christianity are like the opposite ends of a balance, of which one is depressed by the elevation of the other.

These are the consequences which make war dreadful to a state. Slaughter and devastation are sufficiently terrible, but their collateral evils are their greatest. It is *the immoral feeling* that war diffuses—it is *the depravation of principle*, which forms the mass of its mischief.

There is one mode of hostility that is allowed and encouraged by war, which appears to be distinguished by peculiar atrocity: I mean privateering. If war could be shown to be necessary or right, I think this, at least, were indefensible. It were surely enough that army slaughtered army and that fleet destroyed fleet, without arming individual avarice for private plunder, and legalizing robbery because it is not of our countrymen. Who are the victims of this plunder, and what are its effects? Does it produce any mischief to our enemies but the ruin of those who perhaps

would gladly have been friends ;—of those who are made enemies only by the will of their rulers, and who now conduct their commerce with no other solicitude about the war than how they may escape the rapine which it sanctions? Privateering can scarcely plead even the merit of public mischief in its favour. An empire is little injured by the wretchedness and starvation of a few of its citizens. The robbery may, indeed, be carried to such extent and such multitudes may be plundered, that the ruin of individuals may impart poverty to a state. But for *this* mischief the privateer can seldom hope : and what is that practice, of which the only topic of defence is the enormity of its mischief!

There is a yet more dreadful consideration : The privateer is not only a robber but a murderer. If he cannot otherwise plunder his victim, human life is no obstacle to his rapine. Robbery is his object and his object he will attain. Nor has he the ordinary excuses of slaughter in his defence. His government does not require it of him : He makes no pretext of patriotism, but robs and murders of his own choice, and simply for gain. The soldier makes a bad apology when he pleads the command of his superior, but the privateer has no command to plead ; and with no object but plunder, he deliberately seeks a set of ruffians who are unprincipled enough for robbery and ferocious enough for murder, and sallies with them upon the ocean, like tigers upon a desert, and like tigers prowl-

ing for prey.—To talk of christianity, as permitting these monstrous proceedings, implies deplorable fatuity or more deplorable profaneness. I would however hope that he who sends out a privateer has not so little shame as to pretend to conscience or honesty.—If he will be a robber and a murderer, let him at least not be a hypocrite ; for it is hypocrisy for such men to pretend to religion or morality. He that thus robs the subjects of another country, wants nothing but impunity to make him rob his neighbour : He has no restraint from principle.

I know not how it happens that men make pretensions to christianity whilst they *sanction* or *promote* such prodigious wickedness. It is sufficiently certain, that whatever be their pretensions to it, it is not operative upon their conduct. Such men may talk of religion, but they neither possess nor regard it : And although I would not embrace in such censure, those, who without immediate or remote participation in the crime, look upon it with secret approbation because it injures their “enemies,” I would nevertheless suggest to their consideration whether *their* moral principles are at that point in the scale of purity and benevolence which religion enjoins.

We often hear, during a war, of subsidies from one nation to another for the loan of an army ; and we hear of this without any emotion, except perhaps of joy at the greater probability of triumph, or of anger that our money is expended. Yet surely, if we con-

template such a bargain for a moment, we shall perceive that our first and greatest emotion ought to be abhorrence.—To borrow ten thousand men who know nothing of our quarrel and care nothing for it, to help us to slaughter their fellows! To pay for their help in guineas to their sovereign! Well has it been exclaimed

War is a game, that were their subjects wise,  
Kings would not play at.

A king sells his subjects as a farmer sells his cattle; and sends them to destroy a people, whom, if they had been higher bidders, he would perhaps have sent them to defend. That kings should do this, may grieve, but it cannot surprise us: Avarice has been as unprincipled in humbler life; the possible malignity of individual wickedness is perhaps without any limit. But that a large number of persons with the feelings and reason of men, should coolly listen to the bargain of their sale, should compute the guineas that will pay for their blood, and should then quietly be led to a place where they are to kill people towards whom they have no animosity, is simply wonderful. To what has inveteracy of habit reconciled mankind! I have no capacity of supposing a case of slavery, if slavery be denied in this. Men have been sold in another continent, and England has been shocked and aroused to interference; yet these men were sold, not to be slaughtered but to work: but of the purchases and sales of the world's

political butchers, England cares nothing and thinks nothing—nay, she is a participator in the bargains. There is no reason to doubt that upon other subjects of horror, similar familiarity of habit would produce similar effects; or that he who heedlessly contemplates the purchase of an army, wants nothing but this familiarity to make him heedlessly look on at the commission of parricide. If we could for one moment emancipate ourselves from this power of habit, how would it change the scene that is before us! Little would remain to war of splendour or glory, but we should be left with one wide waste of iniquity and wretchedness.

It is the custom during the continuance of a war, to offer public prayers for the success of our arms—and our enemies pray also for the success of theirs. I will acknowledge that this practice appears to me to be eminently shocking and profane. The idea of two communities of christians, separated perhaps by a creek, at the same moment begging their common Father to assist them in reciprocal destruction, is an idea of horror to which I know no parallel. *Lord assist us to slaughter our enemies*: This is our petition.—“Father, forgive them; they know not what they do.”—This is the petition of Christ.

It is certain that of two contending communities, both cannot be in the right. Yet both appeal to heaven to avouch the justice of their cause, and both mingle with their petitions for the increase, perhaps, of christian dispositions, importunities to the God of mercy to



assist them in the destruction of one another. Taking into account the ferocity of the request—the solemnity of its circumstances—the falsehood of its representations—the fact that both parties are christians, and that their importunities are simultaneous to their common Lord, I do not think that the world exhibits another example of such irreverent and shocking iniquity. Surely it were enough that we slaughter one another alone in our pigmy quarrels, without soliciting the Father of the universe to be concerned in them: surely it were enough that each reviles the other with the iniquity of his cause, without each assuring Heaven that *he* only is in the right—an assurance that is false, probably in both, and certainly in one.

To attempt to pursue the consequences of war through all her ramifications of evil, were however both endless and vain. It is a moral gangrene which diffuses its humours through the whole political and social system. To expose its mischief, is to exhibit all evil; for there is no evil which it does not occasion, and it has much that is peculiar to itself.

That, together with its multiplied evils, war produces some good, I have no wish to deny. I know that it sometimes elicits valuable qualities which had otherwise been concealed, and that it often produces collateral and adventitious, and sometimes immediate advantages. If all this could be denied, it would be needless to deny it, for it is of no consequence to the question whether it be proved. That any wide ex-

tended system should not produce *some* benefits, can never happen. In such a system, it were an unheard-of purity of evil, which was evil without any mixture of good. But, to compare the ascertained advantages of war, with its ascertained mischiefs, or with the ascertained advantages of a system of peace, and to maintain a question as to the preponderance of good, implies not ignorance, but guilt—not incapacity of determination, but voluntary falsehood.

But I rejoice in the conviction that the hour is approaching, when Christians shall cease to be the murderers of one another. Christian light is certainly spreading, and there is scarcely a country in Europe, in which the arguments for unconditional peace, have not recently produced conviction. This conviction is extending in our own country, in such a degree, and upon such minds, that it makes the charge of enthusiasm or folly, vain and idle. The friends of peace, if we choose to despise their opinions, cannot themselves be despised ; and every year is adding to their number, and to the sum of their learning and their intellect.

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It will perhaps be asked, what then are the duties of a subject who believes that all war is incompatible with his religion, but whose governors engage in a war and demand his service? We answer explicitly, *It is his duty, mildly and temperately, yet firmly, to re-*

*fuse to serve.*—There are some persons, who, without any determinate process of reasoning, appear to conclude that responsibility for national measures attaches solely to those who direct them; that it is the business of *governments* to consider what is good for the community, and that, in these cases, the duty of the subject is merged in the will of the sovereign. Considerations like these, are, I believe, often voluntarily permitted to become opiates of the conscience. *I have no part,* it is said, *in the counsels of the government, and am not therefore responsible for its crimes.* We are, indeed, not responsible for the crimes of our rulers, but we are responsible for our own; and the crimes of our rulers *are* our own; *if*, whilst we believe them to be crimes, we promote them by our co-operation. “It is at all times,” says Gisborne, “the duty of an Englishman, steadfastly to decline obeying any orders of his superiors, which his conscience should tell him were in any degree impious or unjust.”\* The apostles, who instructed their converts to be subject to every ordinance of man for conscience sake, and to submit themselves to those who were in authority, and who taught them, that whoever resisted the power, resisted the ordinance of God, made one necessary and uniform provision—that *the magistrate did not command them to do, what God had commanded them to forbear.* With the regulations which the government of a

\* Duties of Men in Society.

country thought fit to establish, the apostles complied, whatever they might think of their wisdom or expediency, provided, and only provided, they did not, by this compliance, abandon their allegiance to the Governor of the world. It is scarcely necessary to observe in how many cases they refused to obey the commands of the governments under which they were placed, or how openly they maintained the duty of refusal, whenever these commands interfered with their higher obligations. It is narrated very early in "the Acts," that one of their number was imprisoned for preaching, that he was commanded to preach no more, and was then released. Soon afterwards all the apostles were imprisoned.—"Did we not straitly command you," said the rulers, "that ye should not teach in this name?" The answer which they made is in point:—"We ought to obey God rather than men."\* And this system they continued to pursue. If Cæsar had ordered one of the apostles to be enrolled in his legions, does any one believe that he would have served?

But those who suppose that obedience in all things is required, or that responsibility in political affairs, is transferred from the subject to the sovereign, reduce themselves to a great dilemma. It is to say that we must resign our conduct and our consciences to the will of others, and act wickedly or well, as their good

\* Acts vi. 28.

or evil may preponderate, without merit for virtue or responsibility for crime. If the government direct you to fire your neighbour's property, or to throw him over a precipice, will you obey? If you will not, there is an end of the argument; for if you may reject its authority in one instance, where is the limit to rejection? There is no rational limit but that which is assigned by christianity, and that is both rational and practicable. If any one should ask the meaning of the words "whoso resisteth the power resisteth the ordinance of God"—we answer, that it refers to *active* resistance; *passive* resistance, or non-compliance, the apostles themselves practised. On this point we should be distinctly understood. We are not so inconsistent as to recommend a civil war, in order to avoid a foreign one.—*Refusal to obey* is the *final* duty of christians.

We think, then, that it is the business of every man, who believes that war is inconsistent with our religion, respectfully, but steadfastly, to refuse to engage in it. Let such as these remember, that an honourable and an awful duty is laid upon them. It is upon their fidelity, so far as human agency is concerned, that the cause of peace is suspended. Let them then be willing to avow their opinions and to defend them. Neither let them be contented with words, if more than words, if suffering also, is required. It is only by the unyielding perseverance of good, that corruption can be extirpated. If you believe that Jesus Christ has

prohibited slaughter, let not the opinion or the commands of a world induce you to join in it. By this "steady and determinate pursuit of virtue," the benediction which attaches to those who hear the sayings of God and do them, will rest upon you, and the time will come when even the world will honour you, as contributors to the work of human reformation.

THE END.



THE  
LIVES AND OPINIONS  
OF  
BENJ'N FRANKLIN BUTLER,  
United States District Attorney for the Southern District of New-York;  
AND  
JESSE HOYT,

Counsellor at Law, formerly Collector of Customs for the Port of New-York;

WITH ANECDOTES OR BIOGRAPHICAL SKETCHES OF STEPHEN ALLEN; GEORGE P. BARKER; JACOB BARKER; JAMES GORDON BENNETT; SAMUEL R. BETTS; ISAAC W. BISHOP; F. P. BLAIR; WALTER BOWNE; C. C. CAMBRELENG; MOSES I. CANTINE; J. I. CODDINGTON; W. H. CRAWFORD; EDWIN CROSWELL; JOHN W. EDMONDS; AZARIAH C. FLAGG; LORENZO HOYT; JEROMUS JOHNSON; ISAAC KIBBE; CORNELIUS W. LAWRENCE; ISAAC Q. LEAKE; CHARLES L. LIVINGSTON; EDWARD LIVINGSTON; WILLIAM L. MARCY; MORDECAI M. NOAH; THADDEUS PHELPS; ELLIAH F. PURDY; ROGER SKINNER; PETER W. SPICER; SAMUEL SWARTWOUT ENOS. T. THROOP; HENRY ULSHOEFFER; JOHN VAN BUREN; MARTIN VAN BUREN; PROSPER M. WETMORE; CAMPBELL P. WHITE; LEVI WOODBURY; SILAS WRIGHT; SAMUEL YOUNG: AND THEIR FRIENDS AND POLITICAL ASSOCIATES.

BY WILLIAM L. MACKENZIE.

The toils of law (what dark insidious men  
Have cumbrous added, to perplex the truth,  
And lengthen simple justice into trade,  
How glorious were the day that saw these broke!  
And every man within the reach of right.

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W. L. MACKENZIE.

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# LIVES

OF

## BENJAMIN F. BUTLER AND JESSE HOYT.

### CHAPTER I.

*Introduction. The Convention of 1846. A Revision of the Common Law. The Judiciary. The Elective System. Treason. In what cases should private papers be published? A powerful faction banded against the Republic. Hopes resting on the Convention.*

THIS volume is respectfully inscribed to the Electors of the Convention, next to assemble for the Revision of the Constitution of the State of New York—and it appears probable that they will decide next November that that Convention shall be held in 1846.

The Declaration of Independence was issued, and the Common School Law of this State put in operation, amidst war and tumult, but the Convention of 1846 will probably assemble and deliberate in peaceful times, and amidst wide spread prosperity. Education has been long and very generally diffused among the people—they have the experience of threescore and ten years of republican government, with its inestimable advantages and great imperfections, as thus far administered—and if they send to the Convention, men of probity in their personal dealings and character, and of active patriotism, united with a clear and cultivated intellect, the true friend of America and republican institutions may anticipate that great benefits to the country will result from their deliberation.

The time surely draws near in which the friends of freedom in America will see an attempt seriously made to accomplish what the far-seeing Clinton wisely suggested twenty years since, the framing of a code of American Laws in the room of that *Common Law*, (so called,) which, in the language of Thomas Cooper to William Sampson, “is anything that the legislative propensity of the common law bench may choose to make it.” Lycurgus, though he impressed upon the Spartans that heroic character which yielded not even on the calamitous day of Leuctra; though he taught (and not vainly) that love of country and its institutions which changed a corrupt populace into a nation of patriots, among whom no civil war broke out in a thousand years—yet even Lycurgus failed, where we have as yet made a questionable progress—for the Laws in Lacedemon not being written, were, in corrupt times, interpreted [Morris fashion] according to the arbitrary will of those who administered them.

Many persons suppose that our N. Y. Revised Statutes are *the law*. They are but a small supplement to it. Mr. Daniel O’Connell was tried not long since in the principal *Common Law* Court of Ireland, for sedition, and convicted. His case was carried to England for revision, and his condemnation reversed. The English judges, to a man, decided that the most important counts in the indictment were bad—and these very counts the Irish judges had, after argument, held to be good! This is our *imported Common Law*. Cases of general interest are decided in our *Common Law Courts* in this State—carried up to the Supreme Court—reversed—brought next into the Court of Errors, and reversed over again. That of *Baffy vs. Mercain*, is evidence of what chance the poor man has of *republican justice* at *Common Law*.

Again: Vast sums are embezzled by public officers. No Common Law can be remembered that will punish them, or cause them to disgorge the plunder—but let a shop-boy or beggar take a dollar from a till, not his own, and Mr. Recorder Morris's unwritten rules, which lawyers can so well remember, speedily sends him to the penitentiary or House of Refuge.

There may be much that is valuable in our *borrowed* Chancery system—Lawyers differ about what is—and beyond their circle who is there that understands its precepts? If law is equity why have we separate sets of judges; and if it is not, why not make it so?

Why is the procedure, or forms and proceedings in our courts, so mysterious, even to the learned, that cases like that of Ahern the Mayor's clerk, are often decided on matters of form and not on their true merits? The people choose their justices, but not one in a hundred of them, when so chosen, can possibly comprehend the complicated legal system which is the rule of their proceedings. Politically we have declared that all men are on common footing in the eye of the law, yet property and its benefits, instead of becoming more equally diffused, are relatively more and more concentrated in a few hands, while the condition of the poor laborer has changed for the worse. *This is the working of a litigious constitution.*

The office of a judge of the higher courts is one of great power and dignity in this State. The station of Senator, with a voice in the court of last resort, enables its possessor to exercise a vast influence for good or evil. Yet I need go no farther than the *letters brought to light in this volume*, for evidence that substantial justice is out of the question, in many cases under the present system, as administered. Wrangham was severely punished for meddling with private matters when he undertook to expose the bribery of Lord Verulam—but he was right—Bacon had to yield—and I trust that I shall be found fully able to meet all attempts at oppression to which the developments in the ensuing chapters may subject me. When, in Dec. 1839, the Democratic Review, backed as it was by the Globe and Argus, declared that "the boasted 'independence of the judiciary' is soon found to be mere independence of common sense and common justice," I doubted. It would seem, from various references in these pages, that the *private* opinion and procedure of the leaders in this State, did not differ from the public admissions of Mr. J. L. O'Sullivan.

A nation must not be nice about details when its existence or its liberties are threatened, whether from within or without. The public safety is the supreme law. Where is the man who can turn from a perusal of the facts I have submitted without being convinced that there is a mercenary faction in our midst, bound together by powerful ties, strong and united, sordid and selfish in everything—acting in concert and for common purpose, the destruction of that manly independence of thought and action which is the glory of our age and country? Listen to its leaders, as each for himself speaks in these pages. Where is one of them found to breathe a warm aspiration of generous sympathy for the sufferings and afflictions which chequers life to the whole family of man?

Mr. John Van Buren has been named in some of our most wide spread public journals as a probable candidate at no very distant day for the Presidency. Look at him as he really is—in the mirror himself has polished. His father is making no common exertions to attain a second time to the chair of Jackson. Observe well the pupils of his school, and say if he deserves it? Mr. Butler has an office of much influence in the administration of justice. Hear him, that ye may determine whether it is in safe hands! Mr. Hoyt's political annals are less important on his own account, than as showing the means whereby his artful employers got and kept for years the reins of state in this Union.

By the Constitution of 1821, the most important and influential offices in this State are withheld from the nomination and appointment of the millions. Draw aside the curtain, as I have done, and behold how that patronage has been exercised by our delegated agents. I trust that the Convention will aid the constituencies in getting rid of a Regency at Albany, and all its branches in the several counties. It is time the Empire State were rid of the Coddington tribe, who, Dugald Dalgetty like, are ready to break up any government the hour it is formed, that hesitates to retain a legion of bribed and pensioned partisans.

If Mr. Bennett of the Herald circulates nearly 50,000 newspapers weekly, as he says, and if Mr. Noah's press continues to receive some share of public support, is it not an advantage to society to obtain in this volume, their characters correctly described by themselves? They are the representatives of a class. Should the time arrive in which the statesman, lawyer, and editor will be ready to hire out their talents and influence to the highest bidder, will not the effects of concentrated wealth, and lucrative offices in the gift of partisan leaders, applied to the easy virtue of the Croswells and the Blairs, the Noahs and the Bennetts, with others of their class, tend to mislead many, and endanger the public welfare? Are not a band of deceptive hiring editors like a ledge of sunken rocks, on which, if no beacon is raised to warn the mariner, the most gallant ship may be wrecked!

Has not treason been committed against the state? The public will read this volume and deliver its impartial award.

Treason, in the general nature of it, must be the crime of many. It implies plots and conspiracies, which are carrying on by correspondence, and are to be discovered by papers. The safety of the state, which is superior to every other consideration, makes it necessary to use all possible means to unmask the machinations of treason, that the dreadful effects may be prevented. Papers, therefore, may be taken possession of, and letters intercepted, as warlike stores are secured, that the designs of the conspirators may be made known to those whom they would betray, and frustrated.

When, at a time of much doubt and difficulty, during the struggle for independence, treason was ready to deliver the important fortress of West Point to a powerful enemy, for money, its designs were opportunely defeated, by the seizure of certain papers in a distinguished officer's boot. When Messrs. Bishop and Kemble had conspired with others to betray their country, and nullify public justice for gain, the letters of these senators and their associates, even the most private and confidential, were published to the world, as a warning to others. General Jasper Ward fared no better. When a treaty was under consideration in the United States' Senate, which Mr. Tappan believed to be injurious to his country, he hesitated not a moment in publishing its most secret conditions, fearless of the consequences of a violation of the rules—and in the case of Jacob Barker, and others, indicted for conspiracy in 1826-7, private letters and agreements were produced, unhesitatingly, for the general good. I quote high authority when I mention the case of Mr. Calhoun and General Jackson, in which, after a visit to Mr. Crawford, by a rival of Calhoun, accompanied by Mr. Cambreleng, the secrets of Mr. Monroe's cabinet, in days long gone by, were laid bare, by Mr. Crawford, private letters exposed, and dissension sown broad-cast between long tried friends—not that the public service might be benefited, but to enable an ambitious aspirant to seize the helm of state, of which he was of all candidates the most unfit and unworthy. Very different was Mr. Crawford's course, when called on by Congress for official papers, to show the tampering and bargaining with the *deposit Banks* of his day. Many were suppressed, whole passages omitted, or garbled—and the exposure of this did not lengthen his step-ladder to Mr. Monroe's seat.

Mr. Cambreleng's views of the sanctity of confidential correspondence, may be readily inferred from the contents of the following letter, marked "private," addressed to his friend, Mr. Jesse Hoyt, at New York, from Washington, and dated May 19th, 1832.

"DEAR H—,

I have seen a copy of W—'s PRIVATE letter to Clayton. It is a deliberate BUT CONFIDENTIAL attack on me, and was designed to coax the Judge to favor him, which was of course repelled. W— asked to have the letter returned—it was so—but *what W— does not know—the Judge took a copy of it.* IT'S A ROD IN PICKLE, and will expose some small contradictions of his present statements, and show some little duplicity. The Judge can tell him that he found my statement of the Webb and Noah case too moderate, and that he wrote it over himself.

Don't mention about the letter to Clayton—he will probably publish it. The Bank will come up in the Senate next week—it won't disturb us before the middle of June.

Sincerely yours,

C. C. CAMBRELENG."



I quote the two last cases, and that which next follows—not approvingly—but as evidence of the sense in which parties of whom this volume has much to say, view the publication of confidential papers.

Mr. Wood, an importer in New York, paid (I think to Mr. Swartwout) duties on large invoices of woollens, which, on a careful examination, the appraisers for the U. S. declared to be fairly valued. A Mr. George R. Ives, of Brooklyn, was the confidential correspondent of Wood's father, who failed in England, and his property went to assignees, to whom this Mr. Ives was the agent and attorney. "Under the specious pretext," say the commissioners of the U. S., "*of being called on by Mr. Hoyt, for the correspondence, he delivered them up, and testified to them in court, books, private letters, and invoices,*" and was thereby enabled to hold on to \$12,000 of the elder Wood's money, *his (Ives's) evidence alone having induced the jury to give a \$13,000 verdict against the son for a violation of the revenue laws.* The Commissioners add, that "*the manner in which the disclosures were made by Ives, and his subsequent testimony in courts, bear strong marks of collusion between him and the collector, founded on the mutual hope of pecuniary gain.*" This is the Ives whose invoices were entered below value, whose fraudulent entries produced no seizure, whose checks *on time*, before his failure, were taken by Hoyt as cash for duties, who *hired* assistant cashiers, and of whom Mr. Taylor swore that he had told him of an offer made him of \$2,000, to act as a spy on the merchants. Mr. Hoyt thinks it fair to go thus far at least, to put down fraud in another's case, but when his own papers are taken by the Commissioners for a like purpose, he speedily changes his mind.

Mr. Hoyt left in the Custom House, fifteen volumes of letters, which were delivered to the U. S. Com'rs, by Mr. Curtis. "This, correspondence discloses numerous valuable facts in relation to the mal-practices and defalcations of Mr. Hoyt," said Governor Poindexter. Mr. Hoyt prepared to quash inquiry, and obtain the letters by a writ of replevin, and might have destroyed them at little cost had they not been wisely sent off to Washington. Had they been private letters they had no business in the Custom House—and when a Collector leaves a public office, and (like a bad lodger who leaves his wallet, decamps between two days, carrying off the family plate, and forgetting to pay his board bill,) slipping a few hundred thousand dollars in bank notes, into his valise, scatters the fifteen volumes of correspondence of his confederates, among his official records, justice to outraged society seems to require that the means of exposure thus bequeathed should be used as, perhaps, he intended they should be—to balance his accounts. A lazy fellow would sweep them into the street—one more active would copy, and publish them. They had no business there.

I think the Argus, at Albany, has always acted on a very lax code of morals about papers. I could give a hundred cases where it has published private letters that, Glentworth like, had got into its power. I remember, for instance, a very confidential one, from Mr. De Witt Bloodgood, to his friend in Illinois, that was published as containing a *plot*. Mr. Croswell will find in the Memoirs of his friends Hoyt and Butler, a supply of plots, sufficient for years to come. His friend Governor Throop professed to admire "the blessed spirit of anti-masonry," founded as it was on that innate love of justice to all which animates every faithful breast, and which had been outraged by the secret destruction of a citizen, who had published certain private papers, which few would have ever heard of, had not the bullies and rowdies of his day, urged on by short-sighted fools, in the back ground, enrolled his name among the martyrs of the west, and awarded him a place in his country's annals. It will be found by Mr. C., that I have not entirely forgotten Governor Throop.

*Papers* are the depositories of our fortune—the trustees of our credit, character, and reputation—our closest confidants. Secrets that may cost a man his life, or which men would rather die than have discovered, secrets of trade, wills, settlements, things on which the peace of families, and the love and union of relatives may depend, are often to be found among a person's private papers, *in his closet*—and all attempts to invade the sanctity of a private dwelling, on any other ground than treason against the state, or even then unless on information on oath, and in a legal way, to search for, seize, or pry into any man's confidential records, cannot be too severely condemned. The Rev. Mr. O'Coigley was sentenced and executed

on the oath of a police officer, who swore he found a printed proclamation of a treasonable character in his great coat pocket, a proclamation, which O'Coigley on the scaffold, and about to appear before his God, called heaven to witness he had never seen. The officer had, it is supposed, put it in his pocket, for the offered reward. Papers may be *abstracted* from—papers may be *added* to, those seized or examined. The case of Glentworth shows that Mayors, Recorders, Judges, Senators, and District Attorneys, have defended and acted on very different principles from mine; and these too the very men of whom this volume more especially treats. The writer, while he condemns their procedure, invites them to examine his. He invades no privacy—betrays no confidence—circulates no secret record—but refers to parts of a correspondence which was, it is presumed, intentionally placed before him, in proof of a formidable conspiracy against the liberties and franchises of the American people. No honest man can or will conceal treason.

In many cases, the letters I have used, are given in full. Sometimes extracts are taken. It may be said that the latter are garbled. My objects were to shorten the work, and publish no private matter, unless it had a bearing on the subject before me. If any one feel aggrieved, or, if there are those who doubt the genuineness of any part of the correspondence, he or they will easily find the way to produce the originals in a court of law. I shall be most happy to aid in such a course whenever it becomes necessary. Some of the documents will, no doubt, be called for by the Governor or Legislature of N. Y.—others may find their way to the United States Senate.

I may here state, that the *italics* and CAPITALS used to mark particular passages of quoted papers are, in most cases, not so marked in the originals.

The views of certain gentlemen whose political opinions are adverted to in succeeding chapters, with reference to that part of our *adopted* laws, which, if we are to believe the postmaster of New York, Mr. R. H. Morris, ought to be obeyed, though he assures us that it never was written or printed, and therefore could not be known to the people—their peculiar views, and his “on the right of *search* for private papers,” are so well known to this community, as also *their practice* in strict concordance with these *unknown laws*, that I need only allude to them here. Nero is said to have caused *his* regulations to be written in small characters, and posted so high that they could with difficulty be read. Mr. Morris's borrowed rules, be they real or fictitious, are worse than the Cæsar's, for you can find them nowhere! The convention will, I trust, provide a code of genuine “home manufacture.”

Men estimate differently their obligations to society. In the case of Judge Van Ness, the Bank of America refused to produce the minute book that had the entry of the \$20,000 “gratuity.” Had I been their most confidential servant, and seen such an entry as would have proved a minister of justice unworthy of his seat, I would have very soon made my country aware of it, whether it suited the bank or not. So, in like manner, do I denounce the conduct of the Bank of the State of New York in concealing the account current of a man proved to have embezzled much of the public money, more especially when it is seen that its president was the political and personal friend of the defaulter. Mr. Blair told us through his *Globe* of August 14, 1839, that the “independence of the judiciary” is “an independence of common sense and common justice”—and when such men as him turn ‘state's evidence,’ is it not time to begin considering of new safeguards? Mr. Blair spoke by authority of a governor who had placed a political tool on the seat once filled by Judge Van Ness in the supreme court, to preserve him, as he said, from ruin.

The compiler of this volume deeply regrets that there are in this lovely country the materials for such a record of human folly. [He derives no pecuniary advantage from its publication, but would be the last man in America to shun the responsibility therewith connected.] Ignorance, prejudice and extreme destitution, have ever been inimical to the preservation of freedom and peace. Ages of bloodshed and rapine, presented to our view in the history of the past, will prove unavailing for example, unless our whole community shall be thoroughly educated, sincerity cherished as the first of virtues, and that violence of party spirit which divides our villages, towns, counties and states, into two opposing armies, as it were, ranged under the banners of partizan chiefs, aided by presses, orators, electioneers, and other apparatus of dissimulation and sordid selfishness, annihilated. Much can be

achieved, if the people will value aright the inestimable advantage they enjoy, in the freedom with which a state convention may be elected and held in the midst of peace and tranquility at home and abroad.

Unpublished writings, in evil times, have sent good men to the scaffold—but the precedents of wicked judges are as beacons to warn their more faithful successors. The noble Algernon Sydney's blood was shed in the profligate days of the second Charles, after a mockery of a trial before Judge Jeffries. Conspiracy there was none. On the search, at midnight, in the martyr's closet, an unpublished manuscript was found—a leaf or two of its contents read in court—and the noble author condemned. Posterity has done all the parties justice.

England is a great and powerful country—yet it is but little more than 25 years since Sir Francis Burdett was tried, condemned, and immured in a prison; though a member of parliament, a man of ancient family, and possessed of an annual income of \$250,000 a year—because he had dared to call cruelty and oppression by their right names, in the land of Hampden and Sydney.

"It seems," said Sir Francis, alluding to the massacre in 1819 at Manchester, that "our fathers were not such fools as some would make us believe, in opposing the establishment of a standing army, and sending King William's Guards out of the country. Yet, would to heaven they had been Dutchmen, or Switzers, or Hessians, or Hanoverians, or any thing rather than Englishmen, who have done such deeds!—What! kill men unarmed! unresisting! and, gracious God! women too, disfigured, maimed, cut down and trampled upon by dragoons. Is this England? This a Christian land? A land of freedom! Will the gentlemen of England support, or wink, at such proceedings? they have a great stake in their country. They hold great estates, and they are bound in duty, and in honor, to consider them as retaining fees on the part of their country, for upholding its rights and liberties."

With such men as this volume drags to the light of day, high in office, controlling the administration of the laws, the executive, and in a great degree commerce, and all upon purely selfish, mercenary principles, America would gradually slide down from her elevated situation among the nations. Revenge would fill some men's minds, despair would take possession of others. Some would take the course ascribed by Morris to Robinson with his creditor Suydam the banker—others would war on property, by increasing the number of those terrible fires which have desolated of late not a few of the fairest cities of America—the evil example of men above would demoralize thousands below them, and that confidence in, and dependence of man on man, which is the cement that binds society, would cease. A numerous standing army would come next—less to war on our weak frontier neighbors, than as a police to repeat at convenient seasons the scenes enacted at Manchester in 1819. It is from such a state of things that the people seek deliverance. The Democratic Review (falsely so called,) told us, in April 1843, that the "virtue and intelligence of the people is all a humbug," and that "we must procure stronger guarantees than popular suffrage, and popular virtue and intelligence." In other words, we were informed that we must shift round to monarchy, or get a House of Peers, self-government being an idle tale.

I very much fear, that if the men whom this volume too truly describes, can get the upper hand in the state convention, their united endeavor will be to get us **AS LITIGIOUS A CONSTITUTION AS POSSIBLE**, as that would best ensure a continuance of those hurtful monopolies and lucrative jobs which follow in the train of all such great convulsions and revolutions in currency, commerce, property, &c., as have of late years marred the prosperity of our country.

If in the minority, I think their efforts will be directed towards embarrassing the capable and well disposed—and should my publication be found to have the effect of preventing the return of some of the worst of them, and arousing inquiry into their conduct, my exertions will be amply repaid.

That a patriot band—such as assembled in Independence Hall, Philadelphia, seventy years ago—may gladden the hearts of our true hearted citizens, when our state convention meets; and that the wisdom of their deliberations may afford unquestionable evidence of the onward progress of intellectual and moral truth in our land, and of the capacity of man for self-government, and the sustenance of free institutions, is the fervent prayer of the compiler.

New York, Sept. 1, 1845.

## CHAPTER II.

*Mr. Butler's birth and parentage—his admission to the Bar, and partnership with Mr. Van Buren. Mr. Hoyt's early pursuits—he abandons commerce, and studies law with the Attorney General of New York. Mr. Butler accepts the presidency of a Bank.*

Benjamin Franklin Butler was born at Kinderhook Landing, Columbia County, N. Y., on the 14th of December, 1795. He was educated there, and in 1811 received by his father's personal and political friend, Martin Van Buren, into his law office at Hudson, as a student, and into his family, in which he continued to reside till his (Mr. Butler's) marriage, in 1816, to Miss Harriet Allen, a sister of Lieut. Allen, of the U. S. Navy.

His father, Medad Butler, who is still alive, was born in Connecticut, where he served an apprenticeship to a scythe-maker. He afterwards kept store and tavern at "the Landing," in which business his son Benjamin assisted him in his earlier years.

When the uncle of Horace Walpole, Earl of Orford, was Ambassador at the French court, the Queen asked his lady what family she was of. Her reply was, "D'aucune, Madame." She was a French stay-maker's daughter. It requires true nobility of soul to be of the *aucune* family. In a memoir in the Democratic Review, the pedigree of the Butlers is traced to Oliver Cromwell, the lord protector—to one of the judges whose fiat beheaded King Charles—and to Jonathan Butler, who landed in Connecticut in 1710. Stanhope, Lord Chesterfield, ridiculed doubtful pedigrees by placing two old heads among the portraits of his ancestors, inscribed "*Adam de Stanhope*" and "*Eve de Stanhope*." A family of the name of Levi exhibited a picture in which Noah appears walking into the Ark, carrying under his arm a small trunk, on which is written "*Papiers de la maison de Levis*." Thus much for genealogy.

Mr. Butler was admitted to the bar as an attorney in the State courts in 1817, and immediately entered into partnership with his instructor, Mr. Van Buren, in his law business. The latter was at that time a Senator of New York, and (says the Democratic Review) "the connection subsisted till the appointment of Mr. Van Buren to the Senate of the United States in December, 1821."

In June, 1818, Mr. Butler borrowed \$550 from the State of New York, on the security of 22 acres of land at Kinderhook Landing, and gave his father's bond and mortgage and his own bond as a security. In 1816 his father had borrowed of the State another \$1000, which, with the interest, remained unpaid as late as 1824. The share of law profits which he realized in 1818 fell short of his wishes, and early in 1819 he united the professions of lawyer and banker—as President, Cashier, and (I may add) Board of Directors of the Bank of Washington and Warren, at Sandy Hill, a village on the Hudson, about 55 miles north of Albany, and Attorney at Law, Solicitor in Chancery, and Attorney for the said Bank, at same place.

Jesse Hoyt, the friend of Benjamin Butler, is a native of Connecticut, and early in life began business on his own account as a store-keeper in Albany—failed—could not arrange his affairs so as to recommence—discovered that he had the peculiar sort of talent for a successful lawyer—indentured himself with Mr. Van Buren as his student—and in due time took the benefit of the insolvent laws, and a license to practise in the State courts.

When Mr. and Mrs. Butler removed to Sandy Hill, Mr. Hoyt was a student in the Attorney General's office, and had previously served as a clerk in the Farmers and Mechanics' Bank. Mr. B's letters to his friend will show the prospects of both, make known the fervent piety of the former, the condition of the legal and financial professions in Washington county, exhibit new views of State politics, and cannot fail to be read with interest.

## CHAPTER III.

*Interesting Correspondence, Mr. Butler's piety, politics, and kind feelings toward Mr. Hoyt. A proposal to buy the Buffalo bank—Mr. Hoyt's fitness for the office of a Cashier—his general character. A run on the Washington and Warren Bank—Ways and Means—Butler vs. Ottcott.*

President Butler, of the Bank of W. and W., to Jesse Hoyt, Student at Law, Albany.

SANDY HILL, March 27th, 1819.

DEAR FRIEND,

\* \* \* \* \* You have really a fine state of political confusion at Albany. I think the situation of the Governor [De Witt Clinton] is daily becoming more desperate.

\* \* \* \* \*

I am more and more pleased with my duties. They require industry and attention, but they give me more leisure than I had while in Albany, and furnish me more easily with sufficient to provide for my household.

*The only difficulty here is THE WANT OF the stated PREACHING OF THE GOSPEL. Had we a faithful and respectable minister, and were the people more anxious for and attentive to religion, I should have nothing to ask for, but the continuance of health to make this place delightful.* The contrast between Albany and Sandy Hill in this particular is great. You do not at all estimate as you ought, the peculiar privileges you enjoy. They are remarkably great \* \* \* \* \* The Gospel is either a "savor of life unto life," or of "death unto death." And how can those "escape who neglect so great salvation?"

What a bungling piece of work Mr. Loomis has made in printing my speech. It has mortified me excessively to see so many stupid blunders issued to the world *with my name prefixed*. Pray tell my friends that I lay no claims to the bantling in its present dress.

Yours truly,

BENJAMIN F. BUTLER.

*The same to the same.*

SANDY HILL, March 17, 1819.

DEAR FRIEND,

The stage to-day was looked for with great anxiety by all the members of my household, as we entertained strong hopes the black damsel would make her appearance on the "Hill,"—as the citizens denominate this great metropolis. \* \* \* \* \* I have been here a fortnight, and have not yet received a line from you. Pray write me, if it is only to say that you are *in esse*.

Yours truly,

BENJAMIN F. BUTLER.

The P. S. (in a different hand,) is as follows:—"Mr. Hoyt do try to get Pender. I am tired to death of *cooking*."

*The same to the same.*

SANDY HILL, May 4, 1819.

DEAR FRIEND,

\* \* \* \* \* The election returns are, so far, unfavorable to the hopes of Mr. Clinton, and his friends, and *I presume his destiny is fixed*. \* \* \* \* \* I voted for Senators, and offered to vote for members of Assembly, but after a long discussion of my and various arguments and opinions from lawyers and electioneers, the board very gravely decided that I was not yet *naturalized*—in

which I think it probable they were right. The chancellor has really *assumed* a great deal in deciding my cause against me. Please obtain a copy of the decretal order—not of his opinion, for I suppose that would take you a week to copy—and send by some person at your convenience.

*Upon what ground did he admit you—as of right, or ex gratia?* I am glad that he has done it, and hope you may find it the harbinger of good fortune.

What think you of the New Insolvent Law? Do you intend to proceed under it? Or have you not philosophy enough to live poor all your life, with a millstone on your neck?

How does the business get along, and what is the state, generally, of your ejectment suits? Are any of them to be tried at these Circuits or not? I sometimes wished after my removal, that I could take a peep for a moment in the Registers, and engage again in the service of the Sovereign People—and so long had I been accustomed to the management of the Attorney General [M. Van Buren]'s affairs, public, private and domestic, that I often thought that no one could attend to them but myself. My new avocations, however, have now become familiar and pleasant, and I can attend to them without troubling myself about the bonds, mortgages, or ejectments of the State. \* \* \* \* \* There is but little law business doing here, if I was dependant on that, I should have had the horrors long ago. \* \* \*

B. F. BUTLER.

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*The same to the same.*

Washington and Warren Bank,  
SANDY HILL, May 8th, 1819. }

Jesse Hoyt, Esq., Albany,

DEAR SIR,

I send by Mr. Skinner a package and letter for Mr. Barker, which send as usual. I hear that he has had a *demonstration* (as Packenham, & Co. would have said), made upon him this week, which was manfully repelled. My Secretary being otherwise engaged, deprives you of the *pleasure* of receiving this *interesting* epistle, in her "own proper hand writing."

Yours truly,

B. F. BUTLER.

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Mr. President Butler to Mr. Jesse Hoyt, Solicitor in Chancery, Albany,

SANDY HILL, June 5th, 1819.

DEAR SIR,

I have yours of the 31st ult., 1st inst., and also one by Mr. Gifford. I shall endeavor as soon as possible to send you some papers in these Chancery causes. I do regret that I did not know that Mr. V. B. was about attending the June term of the Court of Chancery. I might have had all my business in train for it. \* \* \* \* \* I have not been in court but little, either Common Pleas, or Circuit—having had a great deal to do in the Bank, and in my Law Business. I want a clerk very much, and as soon as Charles' \* \* \* \* \* I hope you got my package by Hitchcock. I have now \$3000 in current notes, received since Wednesday, which I would send by Col. Pitcher, who conveys this, but he starts from here on foot, and goes on a raft from Fort Miller, and though an honest man might be robbed or knocked overboard. \* \* \* \* \*

I am unable to say anything now ABOUT THE NIAGARA BANK—only that if Mr. B., [meaning Jacob Barker], could be sure of life, he could make it a profitable concern—but has, in my opinion, irons enough in the fire, already, for one man. But then he's A HOST himself. If he gets the stock, you must stand ready to interpose a claim for the management of the business—that is—"if you would be willing to accept such a place. He would require some one that he could repose confidence in to take charge of it. Though I have no idea that he will get it. "Double, double—toil and trouble," appears to be the order of the day in the Commercial and Financial world—where it will land us I am unable to say. \* \* \* \* \*

The Attorney General [Mr. Van Buren], is never at home—and when he is, I am

so far from him, that I cannot have that direct and constant communication which the interests of *our clients* demand. One thing I most earnestly desire of you, and that is to forward me all notices, papers, &c., *that may be served on Mr. V. B. [Van Buren] as my agent.* He would never think of it himself, and my clients might be kicked out of court before I knew it. I shall make no more complaints about your bad writing, though your scrawls are most infamous, after the capers I have cut in this epistle.

Yours truly,

B. F. BUTLER.

[Sent per Mr. Thurman, from SANDY HILL.]

June 11, 1819.

Jesse Hoyt, Esq., Albany,

DEAR SIR,

I have received a letter from Mr. Barker, mentioning the subject of the NIAGARA BANK, and *requesting my opinion of a certain friend of mine, for CASHIER,* provided he should conclude to purchase the stock—to which I have replied as follows:—

"I am happy to hear, by your letter, that in the event of your engaging in the Niagara Bank, you have thought of MY FRIEND HOYT, for Cashier. *I know of no person within the circle of my acquaintance whom I could recommend with equal confidence for that situation.* HIS INTEGRITY, ZEAL, AND INDUSTRY would I am confident, ensure him your approbation, and esteem. There can be no doubt of his being amply qualified for the task. His acquaintance with business is general, and extensive, and for perseverance and activity I know of no one who surpasses him. His experience in Mercantile business, would alone have qualified him for the place, but in addition to that *he has the advantage of some considerable acquaintance with the business of banking, from his employment last year in the Mechanics' and Farmers' Bank.* I have known him for several years; intimately, for about three. *After the unfortunate termination of his Mercantile concerns,* instead of spending his time in idleness, or giving way to despair or dissipation, which is commonly the case in SUCH CIRCUMSTANCES, he resolved forthwith to enter into employment of some kind or other; and, as nothing offered by which he could do better, he commenced the study of the law. All his friends, (and I amongst the rest,) thought this a very *forlorn hope,* for such had been his previous active life, and so long was his term of study, that I considered it absolutely impossible for him to confine himself to so irksome an employment as a clerkship in a law office, without any prospect of a speedy admission either to the practice or the profits of the profession. He was for nearly three years in my office, and for fidelity and attention, perseverance and application, *the very best clerk I ever met with.* I consider him perfectly competent to examine (A) into the affairs of the Bank at Buffalo, and give you an accurate and judicious account of every thing that relates to it. It is needless for me to say that I feel a deep interest in his prosperity, and that nothing would give me greater pleasure than to see him placed in such a situation as would give him a competent support; but perhaps it may be necessary to satisfy you that my opinion of his merits is not over-rated. I acknowledge that I am his friend, and I know that friends, like lovers, are a little blind to the faults of those they esteem, but I believe I may safely refer you to any person acquainted with Mr. Hoyt, for a confirmation of what I have said."

(A) This is in reply to a suggestion about sending you up to investigate the business, preparatory to a decision on the subject. (14.) I have sent my brief in — cause to New York last week by mail.

Yours truly,

B. F. BUTLER.

June 14. I send you by J. L. Thurman, Esq., a package for Mr. Barker, containing, in current notes, \$2,200. I have received yours by Mr. Clark, with \$1,300 in W. and W. notes.

*The same to the same.*

Washington and Warren Bank,  
SANDY HILL, June 21, 1819. }

DEAR SIR,

My letter of yesterday informed you that I was engaged in a *running* fight with a squadron from Commodore Wiswall's fleet. I send you by Mr. B. Wing, \$900 in Troy, Lansingburgh; and Albany bills, which I wish you, *if possible*, to convert into specie. I do not know that I shall need it, but it will be sufficient with what I have, to *tease* the enemy for the whole week, if he should maintain his ground for so long a time. \* \* \* \* I do not wish it *lisped* that I am in want of it to meet a demand on the Bank. *I wish you to say to the bank that you want SMALL CHANGE*; and for that you will give them current bills. If you can obtain \$900 it will answer the purpose, and if small money is not to be had any thing else will answer. \* \* \* \* \*

B. F. BUTLER.

*President Butler to Mr. Hoyt.*

SANDY HILL, June 21st, 1819.

DEAR SIR,

By the enclosed (which please read, and after that wafer and send by Wednesday's boat,) *you will learn* the situation of affairs here. If Commodore W., reported any thing disadvantageous, please correct it. I did not offer, as before to Allen, to *pay him one bill at a time*; but on Saturday, *offered* him a large amount of specie, which he declined waiting for me to count.

If you think that you can get the specie for my notes, which will be chiefly Troy, &c., please so inform Mr. Barker. Mr. Bacon is the person who brought the \$706.

Yours truly,

B. F. BUTLER.

Washington and Warren Bank,

SANDY HILL, June 23, 1819. (Wednesday morning.) }

Jacob Barker, Esq., New York.

DEAR SIR, \* \* \* \* I have redeemed in the whole \$780, during the two days past—all in large bills. I have now on hand, about \$300 in small change, \$900 in dollars and five francs, and \$200 in gold. With this force I can with certainty sustain myself until Saturday morning, and by that time I have no doubt I shall have a further supply of specie from Mr. Hoyt. \* \* \* \* \*

I enclose you a copy of Mr. Olcott's letter. This is a new proof of the wavering policy of that Bank, and of the little reliance to be placed on Mr. Olcott's professions or engagements, for he offered of his own accord to me last spring, that I might at any time draw on you *at a few days sight*, if I chose so to do. \* \* \*

\* \* I have this morning had two small sums of our notes presented—the one for \$75—the other for \$91—both from Albany; and both enclosed to Mr. Baird, with a request that he would present them immediately, and *that the credit of the Bank was completely down, which was the cause of their sending them up. I shall pay these, because the money will go down by the mail to-day and may quiet the apprehension of some persons who would otherwise send up; but I shall request Mr. B. to decline any further commission of the kind; and if any more such calls appear, I SHALL PUT THEM ON THE SAME GROUND WITH THE OTHERS.*

As the calls this week have assumed the character of a *run on the Bank*, you will undoubtedly see the necessity of giving me a supply of specie as soon as possible.

Yours truly,

B. F. BUTLER.

P. S.—Since writing the above, Wiswall has shown me his money; he has now



\$4800. Gilchrist has demanded his bills. *I told him I was ready to pay in specie, but commenced paying Wiswall, he presenting his bills first.* Gilchrist has resolved not to wait, and returns in the stage.

B. F. B.

The letter from Mr. Olcott, referred to above, was dated "Mechanics' and Farmers' Bank, June 21, 1819," and informed President Butler, that they had sent for redemption, \$5,300 of W. and W. bills, by Mr. Gilchrist, to whom they expected that every facility would be given. Mr. Olcott says—"You are probably aware of the determination of the Banks in this city to take no drafts from country banks, on the city of New York. \* \* \* \* \* Our object is to prevent country banks from placing funds in N. Y. to speculate on their own depreciated paper. That they do operate in this way, we have good reason to suspect; otherwise why do they place funds at so great a distance from *the only spot where they PRETEND TO REDEEM*, or give specie value, to their bills."

#### CHAPTER IV.

*Ways and Means continued—How to get a Puff from a Young Patroon—Meaning of Tons and Loads—The President's Puff—Paying in Sixpences—Coffers full—Holding up—"Let the Public wait"—Paying in Chancery suits—Threatening a Debtor—Taking care of the Bank—"Fair and proper calls"—Clinton "Raving Mad"—Paying "in a slow way"—Mr. Butler's humanity.*

[Favored by Caleb Baker, Esq.,]

SANDY HILL, June 29th, 1819.

Jesse Hoyt, Esq., 111 State street, Albany.

DEAR HOYT,—The enclosed will show you how the "world wags." One of those persons that I told to wait until their turns came, was THE YOUNG PATROON, who had 4 or \$500 taken for rents due his father.

If you know him—as I believe you do—I wish you would FALL IN WITH HIM, and ask his opinion—I know it will be favorable, although I did not pay him, because he sat within my counter, and read the papers, AND DRANK WINE WITH ME FOR TWO OR THREE HOURS BEFORE THE BANK CLOSED, and saw every man who had come from a distance, or was poor and needy, paid in specie without a moment's delay.

Now, if his opinion is friendly, I dare say it will pass current, AND BE A LEGAL TENDER in your DUTCH metropolis, and it would answer for CIRCULATION, &c. Let me hear how everything goes—and what is said and done at Albany.

Yours truly,

B. F. BUTLER.

Seal and send the enclosed after reading it. If the loan with Baird was concluded, and you expect the specie on Thursday, you may perhaps ask Caleb Baker to stay for it. If not, tell him there will not be a A LOAD until next week. HE AND EVERY BODY ELSE thinks I have TONS OF IT on the way.

[Per Mr. L. Clark.]

SANDY HILL, July 1, 1819.

Jesse Hoyt, Esq., Albany.

DEAR SIR,—The enclosed you will send by the first boat, after reading it, &c.

I send you 25 TIMES. You see how boldly we come out. I have deliberated long before I ventured it—but, as it's a part of my "budget of ways and means," have at length concluded to run the hazard.

If the specie for Schuyler's note could be obtained, you could send it by the bearer.

Send the papers on Saturday. Tell me what you think of my bulletin.

Yours truly,

B. F. BUTLER.

President Butler's manifesto, referred to in the preceding letter, as a part of his "budget of ways and means," and issued after Mr. Barker's visit, was as follows:—

*From the Sandy Hill Times, July 2, 1819.*

The following communication on the subject of the bank in this place, may be relied upon as coming from an official source.

*For the Times.*

*Washington and Warren Bank.*—The excitement in relation to the paper of the Washington and Warren Bank, beginning to subside, perhaps it may not be ill-timed to request the attention of the public to a few prominent points, connected with the operations and character of that institution. The sudden and unexpected suspension of payment at the Exchange Bank, together with other causes, produced, very naturally, strong suspicions of the solvency of the Washington and Warren Bank, which were greatly increased by the malicious prophecies and slanderous reports of persons who regarded its success with jealousy and hatred. The consequence was, *the rapid and vexatious return of its notes, accompanied with demands for specie, or for such bank paper as is equivalent thereto.* Mr. Barker, foreseeing this result, and fearing that the bank might not be able to withstand the *first shock*, although confident of ultimate success, very fairly assured the public, in his address to them, that the Washington and Warren notes would all be paid *within sixty days*, without promising that the bank would not be compelled to suspend, for a short period, the payment of its notes. It was found, however, that a course so unpleasant and distressing was unnecessary, *and that the bank, by resorting to its legal rights, so far as it respects brokers and other banks, would be able to ride out the gale, and that too without pressing those that owe the bank.* *It has continued, and will continue its redemptions, and is abundantly able to pay all its debts, to the "uttermost farthing."* The debts due to the bank, amount to more than double their notes in circulation, *and those debts are perfectly secure*—there is perhaps scarcely one that will not ultimately be collected. How then can any one be a loser by the Bank?

It is true that the Bank has not extended to speculators and bank agents, that prompt accommodation which, under flourishing circumstances, would probably have been afforded; and it is also true that it has been engaged, and *is now engaged in the payment of small specie, to* persons of that description; but it must always be remembered, *that the Farmers, Mechanics, Travellers, and Tradesmen, who have presented its bills, have been paid in the most prompt and liberal manner.* It must also be borne in mind, that the pressure of the times would of itself be a sufficient excuse for many things, which, at a more propitious moment, would be deemed inconsistent with the rules of fair and honorable business; and above all, that the course pursued in this particular instance, is adopted for the express purpose, not of injuring, but of indemnifying the public. **THE BANK IS ABLE TO PAY, and intends to pay its notes, but it supposes that the honest yeomanry, who compose the "bone and gristle" of the land, are entitled to every accommodation, in preference to greedy speculators and arrogant monied aristocracies. Those too who have "poisoned the chalice," have no reason to complain, if with retributive justice, it is "presented to their lips;" nor even if they are compelled to taste a portion of its contents.**

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*President Butler to Mr. Hoyt.*

SANDY HILL, July 3d, 1819—11 A. M.

DEAR HOYT,—All goes on well. Caleb arrived last night with the reinforcement. Your "extract" was well timed. I wish you would keep the Albany merchants back. It's rather hard friendship to get our bills together, and post them up here, say 30 days sooner than they would otherwise come. At the worst they would go into Brokers' hands, WHICH IS THE BEST PLACE IN THE WORLD FOR ME. I have received a very begging, coaxing letter from Mr. Olcott, *that as Wiswall's money is not half paid, I don't trouble myself about it.*

Yours truly,

B. F. BUTLER.

[Sent per Mr. Hand.]

SANDY HILL, July 7, 1819.

*Private and Secret.*

To Jesse Hoyt, Esq., Albany.

DEAR HOYT,—I have paid since the Run commenced \$9000 and over. You know how much I had then. I HAVE A GREAT DEAL MORE NOW, and am in every respect better off. The reinforcement from Jacob Barker puts me out danger. Have paid very liberally SINCE IT ARRIVED, BUT SHALL NOW HOLD UP. The public have been paid over \$6000—the Brokers \$3000. OUGHT NOT THE PUBLIC TO WAIT A WHILE? We have CROWDED full enough for the present, therefore had better write no more for the papers. I shall add a note to "Equal Rights," which will gall the Mechanics and Farmers' Bank to the quick.

Finished last Saturday night by trying the replevin, at Glen's Falls—got home 1 o'clock, Sunday morning. Jury equally divided, 6 and 6—*Sheriff in our favor.* Skinner and me both summed up; suited myself and everybody else. Noticed anew for Tuesday, 13—clear case; shall certainly succeed—want the lease from Van Rensselaer to Caldwell, as they gave parol evidence of it. Send it up in time.

Paid Saturday, the 3d, - - - - - 901

" on Monday, - - - - - 379 *though the Bank was shut.*

" Tuesday, - - - - - 817

Yours truly,

B. F. BUTLER.

SANDY HILL, July 10th, 1819.

Jesse Hoyt, Esq.,

DEAR SIR,—My present business is chancery. The enclosed bill I drew in great haste last night and this morning. I want it presented on Monday, and the motion made and urged on the ground of the great injury to the Bank if those notes should be put in circulation. Whether Barker's assignment to this Bank is good or not, *we are entitled to the injunction.* Whether the bills are his or ours, the Farmers' Bank have no right to use them; and if they do, we suffer as well as J. B. [Jacob Barker.] I want the bill copied, and a copy sent to Mr. Barker for Mr. Wells' examination.

If you get the injunction, show it first to the State Bank, and tell they follow next—then serve it on Farmers' Bank—then show to Lansingburgh, and tell them they shall have the same, and *had better keep the bills.* That is, if you think it best to inform the others before I have made out bills against them.

The M—— business I have neglected, and never can attend to it. Serve the petition—give the notice—fill up the proper day—make the motion. You and the Attorney General [Mr. V. Buren], draw the interrogatories and examine the witnesses. *I can not, and must rely wholly on you.*

The Bank is safe, and I mean to keep it so. I WILL RATHER SUFFER THE PUBLIC TO FRET A LITTLE, *than hazard the safety of THE INSTITUTION* by paying out TOO FAST. I have paid *this week* \$2500—\$600 of which was Walker.

Yours truly,

B. F. BUTLER.

P. S.—If Schuyler's note was payable *here*, I would take Washington and Warren gladly, but by his own act he has made it payable in Albany. Now let him pay what *they* will take, except I will take it in  $\frac{1}{2}$  Plattsburgh and  $\frac{1}{2}$  current— $\frac{1}{2}$  Burlington,  $\frac{1}{2}$  current. If he has our notes let him present them. If not paid, write Baird that it must be done forthwith, or he will be SUED—Baird will *make* him pay it.

To Jesse Hoyt, Esq., 111 State street, Albany.

SANDY HILL, July 14, 1819.

DEAR SIR,

Send the enclosed by the boat to-morrow—all goes well. The Chancellor's decision, in my opinion is disgraceful, partial, unjustifiable—(inter nos.) I pay

from \$700 to \$1000 daily—chiefly in specie—satisfying all FAIR AND PROPER calls.

I yesterday tried the Replevin over again, and after a prodigious hard conflict obtained the inquisition. This secures the estate. The lease did not arrive in time for the trial, as I had it at Lake George. Got through summing up at 11 o'clock—Jury out till after 1, A. M.—tough business I can assure you. After bank hours, rode through sun and dust to Lake George—12 miles—tried the cause—up till 2, A. M.—up again at  $\frac{1}{2}$  past 4—home before bank hours.

CLINTON IS RAVING MAD, BESIDE BEING A FOOL. But I have no time for more.

Yours truly,

B. F. BUTLER.

Capt. Coffin's letter contains cash. Let me know whether the Comptroller found the account of public monies received by the Attorney General [M. V. Buren] during my agency, correct. I furnished it last mail.

(Sent by Mr. Bacon.)

When it became evident that Mr. Barker would neither purchase the "good-will" of the broken Bank of Niagara, at Buffalo, nor sustain the Washington and Warren Bank, Mr. Hoyt removed from Albany to New York to practise law, having taken out licenses, as an attorney-at-law, and a soliciter-in-chancery.

SARATOGA SPRINGS, Aug 24th, 1819.

To Jesse Hoyt, Esq., New York,

DEAR SIR, \* \* \* \* \* Your brother [Lorenzo Hoyt,] has charge of the Bank during my absence—Mr. Barker left us this morning for the south. \* \* \* \* \* *The Bank will go on paying daily, IN A SLOW WAY*, until Mr. B. [Barker] is able to give me some liberal assistance—and in the meantime I shall take it slow and easy for the future, without laboring as I have done for the two months past, which have been in every respect the most laborious and perplexing of my life. I felicitate myself, however, with the reflection, that I have *relieved MANY HUNDREDS of persons* who would have been almost ruined if we had stopped as Mr. Barker advised me—that *I have kept up PARTIALLY the credit of the paper* [in the vicinity of the Bank, which in the event of stopping would have been at 50 or 60 per cent discount—and that, in all that I have done, I have been actuated by a sincere desire to promote the interests of my employer, and the welfare and preservation of the community. \* \* \* \* \*

In haste, your friend,

B. F. BUTLER.

## CHAPTER V.

*Messrs. Butler and Barker's management of the Washington and Warren, and the Exchange Banks, reviewed. Their statements of the conditions of these institutions. The truth told too late. Mr. Hoyt's efficient agency. Puffs and puffers.*

Mr. Butler's public career—his rapid advancement—the high and honorable posts he has occupied—the very lucrative situation he now fills—his standing as a moralist, and professing christian—these are known—but of his *principles*, as developed in the preceding letters, his countrymen have hitherto remained in profound ignorance. He denounces in the Sandy Hill Times, greedy speculators and arrogant mounted aristocracies, and this too from the shop counter of a chartered, exclusive, banking monopoly, of which he was the richly endowed High Priest; and which was then evading the payment of its just debts, by counting out six-pences and other small change, to harrass those who held thousands of dollars of its paper, for which they had given the full value. He tells the public that "the Bank is able to pay, and intends to pay its notes,"—that "it has continued, and will continue its redemptions, and is abundantly able to pay all its debts to the uttermost farthing,"—and this he solemnly affirms on his honor as a man, and in

his official capacity as the presiding officer of the corporation. His "bulletin," as he calls it, was copied into the N. Y. Evening Post, the Albany papers, and all over the state. His fervent piety gave weight to his assertions—the people believed, were deceived, and he admits to Mr. Hoyt, in his letter of Nov. 16, that his character had suffered severely in consequence.

If he told the truth, that the Bank was perfectly solvent, what are we to think of his abiding friendship for Jacob Barker, who had allowed its notes to fall to 40 cents, cash? Mr. Butler remained as President of the bankrupt concern until it was intimated that his princely income was to be taken away, next year in February. On the 9th of February, 1820, the notes of the W. and W. Bank were quoted in the Evening Post, as worth 37½ cents—and on the 4th of March, at only 35 cents per dollar, while Barker's Exchange Bank notes had found their level at 20 cents. Still we find President Butler at his desk in Sandy Hill!

On the 17th of September, 1821, Beers and Bunnell, quote W. and W. notes at 45 to 50 cents; and in October the Evening Post has W. and W. at 45 cents, and Barker's Exchange notes payable in N. Y., at only 12½ cents per dollar. Next year they were sold at 10 cents for a dollar note. In June, 1824, after the W. and W. Bank notes—from \$150,000 to \$300,000—perhaps twice as much (for there is no believing any thing that such persons as Barker may assert)—after its notes were bought in at 50 to 75 per cent discount, then—but not till then—did this fraudulent concern, recommence again "cash payments," which Mr. Barker or his instruments kept up for some years—but the Exchange Bank was a dead failure, of which its owner got rid by taking the benefit of the state insolvent law.

In August, 1819, Mr. Jacob Barker issued a pamphlet, dated at his Exchange Bank, a bundle of which he sent to Mr. Butler, at Sandy Hill, for general circulation—one of these is now before me. It states,

That he (Mr. Barker,) began his Exchange Bank, in New York, with a substantial capital of \$250,000; that it flourished till May, 1819—that the average or usual circulation of its notes was over half a million of dollars—that in that month he ceased to pay out Exchange notes, substituting Washington and Warren, (which occasioned the run on his President, at Sandy Hill;—that from the 1st of August, 1818, to the 1st of May, 1819, he had redeemed *at par* \$582,115 of W. and W. notes, "while others were purchasing them at a discount,"—that from April 26th to June 19th, there was not one thousand dollars of the W. and W. bills returned for redemption—and that *he considered the W. and W. Bank, "FROM THE KNOWLEDGE HE HAD OF ITS CONCERNS, AS GOOD AS ANY OTHER, IF NOT THE BEST IN AMERICA."*

Mr. Barker further said, in this pamphlet of his—"*because I know the paper to be good, I recommend to every man whose good opinion I wish to preserve, to take the notes of the Washington and Warren Bank, and also the notes of the Exchange Bank for any property he wishes to sell.*"

Again—

"The notes of the W. and W., payable in N. Y., will, from this date be punctually redeemed at this (Exchange) Bank; and the others will continue to be redeemed at the Bank at Sandy Hill."

"I confidently calculate that no man will approach the polls at the next spring election, with a bill [of the Exchange Bank] in his pocket, which he cannot then convert into money, *at par*, if he chooses to do so."

Time showed that all this was a deception of the most unprincipled, reprehensible character, but it did not diminish the close intimacy then subsisting between Jesse Hoyt, Jacob Barker, and Martin Van Buren!

After stating to his friend Hoyt, (23d of June,) that he had paid in cash two sums amounting to \$166, Mr. Butler threatens that if any more such calls should appear, he would place them in their turn among the bank creditors he was then tantalizing with sixpences and other "small change."

When Mr. Olcott complains of Banks which *speculate in their own depreciated paper*, and place their funds far from "the only spot where they pretend to redeem" their bills, (which was the case with the W. and W.) the meek sabbath keeping Mr. Butler, threatens to write for the papers, what would gall his (Olcott's) "bank to the quick." And when he (Butler) apprehended that his notes would be demanded when due, by banks holding quantities, he sent Jesse Hoyt to

terrify them by threatening some, and trying others with vexatious proceedings in Chancery.

The location of Sandy Hill, far in the rear of Albany, out of the way of all business, and to be approached only through bad roads, and at expense, was well chosen as a means to evade payments—and the selection of a young, keen, needy attorney, the partner of Mr. Van Buren, who could play off Chancery and other sorts of law, in lieu of specie, when trouble came; who could drink wine with “the Young Patroon” for three hours, behind the bank counter, persuade him to take back the base notes of a base bank instead of specie, and give Hoyt the hint to “fall in with him,” and get his “opinion” to be used as “a legal tender” to gull “the Dutch,”—are proofs of Barker’s cunning. A Bank President who would pray of a Sunday, the loudest and the longest—and on the Monday chuckle over the credulity of his country neighbors, who while they received as dollars his worthless promises, believed he had tons of specie on the way to redeem them. If such a man shall be continued in the very responsible office of U. S. District Attorney, at N. Y., with \$20,000 of yearly income, by Mr. Polk, or confirmed by the Senate, should his name be sent to them, I have mistaken very much the feelings and temper of this great republic.

In his “secret” note to Mr. Hoyt, July 7, he tells them that there was plenty of means to pay, but he would now “hold up.” “Ought not the public to wait awhile?” Let “the public fret a little.” He was, (July 14), “satisfying all fair and proper calls,”—and (August 24), Lorenzo Hoyt (his assistant) was “paying in a slow way.” This, too, not two months from the date of his assurance, through the press, that the bank had abundant means and would pay to the “utmost farthing!” If David Henshaw failed in the Senate, what hope is there for B. F. Butler? He speaks of humanity and forbearance, and in the same breath (his 10th of July postscript), bids Hoyt threaten poor Schuyler with the terrors of the law, if he would not redeem his note in better currency than that which he and Barker had declared to be “the best in America.”

Cases are on record, in which Bankers, with empty vaults, have handed parcels of their bills to pretended creditors, who appearing to come from a distance, and receiving, as it seemed, large sums in payment, have produced effects similar to that recorded of “the Young Patroon.” I do not say that Wiswall was of that class, but it is evident, by Mr. Butler’s own showing, that all his redemptions, both with cash and the bills of other banks, in May, June, and July, amounted to a smaller sum than a real bank pays in an hour or two in the ordinary transaction of its business.

Among those who censured the universal stoppage of Bank payments, and the relief law of 1837, it is presumed that we will not find on record the name of Benjamin Franklin Butler.

Mr. Hoyt got his friend Butler’s letters published as puffs at Albany. “Your extract was well timed,” says Butler, (July 3d). Here is the extract.

*From the Albany Daily Advertiser.*

Washington and Warren Bank.

Wednesday, 30th June, 1819.

Messrs. Websters & Skinners,—The following is an extract from a letter, dated “Sandy Hill; June 29, 1819.” If you think its publication will be of any service to community, you will please to give it a place in your paper.

SANDY HILL, June 29, 1819.

“The run upon the bank still continues, but the alarm in this part of the country is wholly subsided. The appearance of Mr. Barker in good health and spirits among us, satisfied the people that the Washington and Warren Bank would sustain no loss by his temporary suspension. All are delighted with the accommodating disposition of Mr. Butler, the President. When there were more calls than he could satisfy with his own hands, he called in his neighbors to assist him in paying. And when there were more than all could attend to, he requested those persons that came with the bills, to lay them down and take as many dollars in specie as they left in bills, and retire to give room for others. Many came and saw the counter loaded down with

gold and silver, and went away satisfied that all was well, and that *Sandy Hill* was not without its 'grains of gold.' You may tell your Albany banks that they had better be a little more sparing of their denunciations, for their own vaults may have to atone for the sins of their keepers. *Sell all the goods you can for these notes.* But you had better not send up until the alarm has proved groundless, as you may be trod on in the crowd. When you do send, however, you will always have the preference over brokers in being waited upon, for we do not much admire those leeches upon the 'body politic' in this part of the country."

Another puff is given in the *New York Evening Post*, as an extract of a letter from Jacob Barker, dated 28th June. "I left *Sandy Hill* yesterday. The bank has not stopped payment—it will not stop payment; which please promulgate," &c.

## CHAPTER VI.

*De Witt Clinton blamed in life, but praised afterward. Party spirit degenerating into faction. Hints for the Convention of 1846.*

"Clinton is raving mad, beside being a fool," says Mr. Butler, in one of his private letters to Mr. Hoyt. "I think the situation of the Governor is daily becoming more desperate," says he again. Expressions like these are not unfrequent in his correspondence, but it would appear, on reference to his remarks and the resolutions which he moved in the House of Assembly, at the time of Mr. Clinton's death, that he had about that time changed his opinion. He there spoke of "the illustrious dead," whose name was more likely to be perpetuated in history than that of any other son of New York since its first settlement—said there never had been aught personal in his (Mr. B.'s) opposition, save respect for the character and admiration of the talents of a man "whose ambition it was to be distinguished as the friend of learning and morals, and as the advocate and patron of every measure, calculated to promote the welfare, or increase the glory of the State."

"Let the statesmen of the present day, those who are now engaged in the career of ambition, learn wisdom from his example. The grave of Clinton will soon cover the recollections of his political honors, and in it will be buried the triumphs and reverses of the hour. But his fame as the patron of schools and seminaries of learning, as the friend of morals and benevolence, and as the ardent champion of every great public improvement, will flourish while time shall last. Need I remind you of his efforts to call out and to foster the latent genius of our people? Need I speak of his labors in aid of that great work which has conferred so much glory on his native State, and so largely contributed to the happiness of its inhabitants? By connecting his fortunes with the success of that stupendous project, and by devoting to it the best energies of his mind, what an unfading wreath did he secure! So long as the waters of the great lakes shall flow, through this new channel to the Atlantic, so long shall history record his name!"

I have quoted Mr. B.'s remarks from the *New York Statesman* of February 15, 1828. Mr. Van Buren's, in a meeting of members of Congress from New York State, held in the Capitol at Washington, February 19, are taken from General Green's *Telegraph*:—

"The high order of his talents, the untiring zeal and great success with which those talents have, through a series of years, been devoted to the prosecution of plans of great public utility, are also known to you" \* \* \* \* "the greatest improvement of the age in which we live was commenced under the guidance of his councils, and splendidly accomplished under his immediate auspices" \* \* \* \* "the triumph of his talents and patriotism, cannot fail to become monuments of high and enduring fame." Mr. V. B. then moved a resolution declaring Mr. Clinton the "proudest ornament" of New York State, and "a distinguished public benefactor."

Why it was that Mr. Butler and his friends gave to the measures of Governor Clinton an almost indiscriminating opposition—why Silas Wright, Azariah C. Flagg, and the party enlisted under Mr. Van Buren, taking advantage of an accidental majority in the legislature, removed him from his seat at the canal board, where he had sat without salary, neither Mr. Van Buren's nor Mr. Butler's eulogies will explain—but the following extracts from a letter from the Clerk of the House of Assembly, may aid those who are in the habit of guessing:

*Edward Livingston, Albany, to Jesse Hoyt, New York.*

[Post mark, ALBANY, Dec. 5,] 1823.—“Esleek put the stories in circulation in New York that I was under Van Buren's influence, made a speech, &c., but you know without my telling you, that he is an egregious liar. \* \* \* I have seen the Governor [Yates] since I last wrote. He is decidedly in favor of Caucus nominations, and confoundedly puzzled about giving the choice of Electors to the People—but he says that the REPUBLICAN party ought not to be afraid to go to the People.

He will recommend the measure, in my opinion. This I wrote you before—but, if possible, I am now surer of it than I was before.

*The Republican members of the House, it is thought, will hold a Caucus upon this question; and, after coming to a conclusion, all go one way or the other. IF CLINTON IS VERY DANGEROUS THEY WILL GO ONE WAY, AND IF IT IS THOUGHT HE CANNOT MAKE ANY DIFFICULTY THEY WILL GO T'OTHER WAY.”*

Was Cardinal De Retz very far wrong when he said, that “nothing but a continuance of good fortune is able to fix most men's friendship?”

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Extract from a letter—Lorenzo Hoyt to his brother Jesse—dated at Albany, December 24th, 1823.—“A meeting has been called, and is now, this moment, in full operation, in relation to the Presidential Electors. It was started by two notorious political renegadoes, to wit, W. Esleek and Jacob Lansing—men who, despairing of becoming great by any other means than through the medium of such meetings, and who have become misanthropes because the world and its people will not acknowledge their superiority and greatness. To name a few of those who composed the meeting will supersede the necessity of any further comment as to its political cast—P. T. Parker, E. Baldwin, William James, J. Alexander, the Townsends, P. Gansevoort, the Cassidys, G. Hawley, Spencer, Stafford, &c. I trust that Republicans and the People in general will know from whom this popular measure, of giving the choice of Electors to the People, emanates. The measure itself I must say, as I always have said, is a Republican one—but the source from which it springs will render it unpopular with Republicans.”

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## CHAPTER VII.

*Mr. Butler feels public censure—is considered as bad as Barker. He exhorts Mr. Hoyt to keep the Sabbath—succeeds Judge Skinner—is ambitious, quotes Caesar, becomes an active politician—a bucktail. Mr. Barker stops his salary, and takes the benefit of the Insolvent Laws. Judge Van Ness's ermine sullied by bank contact.*

SANDY HILL, Nov. 16, 1819.

Jesse Hoyt, Esq., New York.

MY DEAR SIR,— \* \* \* \* \* I am certain that no poor wight ever labored more sincerely for the public good, or received more of public censure and abuse. For the last seven or eight weeks, however, we have had comparatively quiet times, and I have had some leisure for law reading and law labor.

You are right in supposing that the late catastrophe (for I consider it the end of,



that drama) in the Exchange Bank, is a common misfortune. To me especially it is a great one. *I had cheerfully suffered the depreciation of OUR PAPER*, that Mr. B. [Barker] might in the meantime bend all his efforts to the Exchange Bank, and in the resumption of payment there, hoped for the most auspicious results. The matter is past mending, and no doubt it is all for the best. *We continue paying daily in a small way, more to relieve the sufferings of community than for any other purpose.* The credit of the paper is very low in this country—hardly any one takes it at par—and were it not for the small payments of which I spoke, no one of my neighbors would have any confidence in the ultimate solvency of the institution. Some few, inferring from what has been done and what is now doing, that the intention is TO PRESERVE THE BANK, are rather disposed to think favorably of the concern. \* \* \* \* \*

By the bye, my character is so depreciated at Albany (according to report) that but few of my old acquaintances would acknowledge or receive me. Some of them, I hear, have the kindness and condescension to compassionate and pity me, while others consider me *full as bad as Jacob Barker*, which in these days is considered a pretty severe specimen of invective and reproach. So be it.

They cannot rob me of free nature's grace,  
They cannot shut the windows of the sky,  
They cannot bar my constant feet to trace  
The woods and lawns, by living stream at eve,  
Of fancy, reason, virtue, naught can me bereave.

I am sorry to observe that you are obliged to turn casuist in order to reconcile your *Sunday* labors to your own sense of duty. \* \* \* \* \* No true consolation can ever be derived from anything that requires the neglect of a religious duty. The ways of wisdom, and of wisdom only, "are ways of pleasantness"—her paths, and hers only, "are paths of peace." Mrs. Butler joins in affectionate remembrance.

Truly yours,

B. F. B.

SANDY HILL, Dec. 17, 1819.

Jesse Hoyt, Esq., Albany.

MY DEAR SIR,—We have been much troubled by visitors at the Bank for the 10 days past. The Court of Common Pleas, which sat in the village a part of two weeks has just adjourned. You can hardly conceive how much I was vexed and molested. Every man who owned a dollar of our paper made a point of bringing it along. I made my *debut* as an attorney—was employed in two causes which I tried and argued, and had very good success. There is but little law business doing in this county. Such complaints you never heard from lawyers, of the dullness of the times and the scarcity of money.

Most truly yours,

B. F. BUTLER.

[Mailed, Hudson, Feb. 9.]

HUDSON, Feb. 7th, 1820.

Jesse Hoyt, Esq., Attorney at Law, New York.

Dear Friend,—The release of Mr. Youle is enclosed. *We have no Commissioner at our village, (the men fit for it being chiefly Bucktails,)* and I therefore brought it with me. \* \* \* \* \* You are THE ONLY PERSON to whom I ever write except on business topics, and perhaps I should write less frequently than I now do were it not for the occasional necessity of the correspondence. Not that I dislike the employment, or have forgotten the friend—neither is the case.

I have a tolerable prospect of getting a livelihood by my profession at Sandy Hill, the appointment of Mr. Skinner and his consequent desertion of the bar, having left room for some other person. I have taken his office, but whether I shall fill his place remains to be seen. *I have been urged to hold myself in reserve until spring and then remove to New York with an old friend of ours,\* (M. V. B.), but I*

\* Martin Van Buren.

prefer remaining where I am. "A rolling stone gathers no moss," and though I certainly would not have gone from Albany had I known what would have followed, I have too much pride to keep always on the move—and upon the whole do not regret the removal. Besides, I doubt whether it would be advisable to locate myself in New York, even with the aid of wealth and talents. *The saying of Cæsar's, that he would rather be the first in a small village than the second at Rome, is a fair expression of the sentiments of most men. At New York I could never hope to be even the SECOND—where I am [Sandy Hill] perhaps it may not be too presumptuous to aspire to higher honors.* I believe Mr. Van Buren does not wish to have it known that he removes to New York in the Spring, therefore, if you have not already heard of it, you will please consider what I say as *inter nos*. I am fearful that Mr. Barker's misfortunes will prevent you from realizing all the prospects you indulged in when I last saw you.

Since my resolution to get all the law business I could, and to present myself before the public in that capacity, I have thrown off the restraints I had before preserved with regard to an interference in County affairs, and have engaged with some warmth, but *pure intentions (as I hope)*, in the political warfare.

Education, habit, inclination and principle *all conspire to make me A BUCKTAIL.* I have no sinister views to gratify—no resentments to satiate—no other object but the *well being of the State*—therefore my endeavors shall be to confine myself within the golden rule, of "doing to others what I would have them do to me."

I have received a letter from Mr. Barker, stating that the bank was unable to pay me the salary I have hitherto received any longer, *which is what I have been compelled to look for for some time past*, and which will render my prospects rather gloomy.

B. F. BUTLER.

## CHAPTER VIII.

*Mr. Butler on Judge W. W. Van Ness. Van Ness and the Bank. Butler, Barker, and the conspiracy trials of 1826-7. The Life and Fire Company. Stooljobbing. Barker's Conviction and Letters. Mr. Van Buren and the Washington and Warren Bank Charter.*

*Mr. Butler to Mr. Hoyt.*

ALBANY, March 17, 1820.

My dear friend, \* \* \* \* \* It is but seldom that I hear from our friend Mr. Barker, for the very substantial reason, as I suppose, that he has nothing to communicate. Do you think he will be discharged in April? And can you form any sort of estimation as to the ultimate result of his affairs? \* \* \* \* \* I do not yet precisely know what are Mr. Van Buren's expectations, nor do I believe he does himself. Mr. Edmonds, who is now with him, has had some conversation with him on the subject of business at New York, *but I have no apprehensions that he would form a connection with so young a practitioner.* \* \* \* \* \*

\* \* \* \* \* The \*Committee of Inquiry intended to report next week, but as

\* Mr. Butler here alludes to a committee of the Assembly, appointed to inquire into the conduct of Judge W. W. Van Ness, accused of taking bribes. In January, 1820, the N. Y. American made a specific charge against the Judge, a member of the Assembly of N. Y., and an Attorney of Columbia Co., that they had shared \$20,000 of a bribe from the bank of America for assisting in the passage of its special charter, in 1813. General Root moved for a Committee on the 28th, to inquire whether it was true that Judge V. N. had accepted \$5000 for his services to the bank in the Council of Revision, and remarked, "that if all the circumstances of bribery and corruption that marked the progress of that charter were to be developed and unraveled, it would take the committee a long time to perform their duty." A committee of nine was appointed. The Judge, instead of coming manfully forward, like an innocent man, asked to be allowed the aid of four distinguished lawyers, he himself also pleading his own cause. Six of the committee were also lawyers, and their chairman was the partner of the Judge's senior counsel. Quirks and quibbles there were in abundance, but, say Messrs. Charles King, J. A. Hamilton, and Johnston Verplanck, in *The American*, of April 13th—"under all these restrictions our case was fully made out." It was shown that,

1. The Board of Directors of the bank of America refused to permit so much of their book of minutes to be seen by the Committee as contained the entry for the payment to Elisha Williams, of \$20,000, with the use it was to be put to, and the motives for the payment, though that entry would probably have settled the question.

Judge Van Ness has not yet returned, I do not believe they will be ready. That concern looks very dark for his Honor. If he is innocent he has been very unwise in the course he has adopted. If he shall be convicted, ultimately, what a degrading circumstance it will be for the judicial character of our State! It was *once* our pride and ornament—but how are the confidence and respect of the public to be preserved when its members are *suspected*, much less when they are *arraigned* for “high crimes and misdemeanors?”—In truth your very sincere friend,

B. F. BUTLER.

The reader may have perhaps had an impression that, in 1819, Mr. Butler was in some degree, the dupe of his cunning relative, Jacob Barker. Such was in no respect the case. Between these financiers and their friend Mr. M. Van Buren the very best understanding continued to prevail, and prevails to this very hour. Mr. Butler acted as Mr. Barker's agent long after he left Sandy Hill—did business for the W. & W. bank, when, after “getting in its notes,” it opened shop again—was Mr. Barker's advocate when, in 1826-7 he was thrice tried, never acquitted but again and again declared to be guilty of enormous frauds, by upright and intelligent juries, in the New York Circuit Court—and pleaded hard with the jury not to convict, aiding also other “financiers” then there placed in some trouble, to appease a pillaged and insulted community, and escape the penitentiary and pillory, a doom which some of them very richly merited.\*

2. The receipt which Mr. Burrall took from Williams for that sum, which he handed to his successor and asked him to bring it to Albany, the latter refused, saying it would not be necessary, and when at Albany denied all recollection of it.

3. Messrs. John Duer and Rudolph Bunner swear positively that Judge Van Ness twice confessed to each of them, separately, that he was entitled to one third of the \$20,000 received by Williams—that he feared that Williams meant to defraud him, and only give him \$5000—that the money was a gratuity to him (the Judge) from the bank of America—and that Williams claimed a part of the cash for Grosvenor, of Columbia Co., on the express grounds that he had been as useful in getting the bill through the Legislature as either of them. This was the bank which Governor Tompkins prorogued the Legislature rather than agree to its incorporation in 1812.

4. It was shown that Judge V. N. had given contradictory accounts of the way he became entitled to this “gratuity,”—that Mr. Williams had done the same—and that a story about an agreement of the bank of America to lend the (country) bank of Columbia \$150,000 in cash, for 15 years, at 3 per cent interest, on the security of the corporation, to benefit the former bank, for cancelling which Mr. Williams asserted that the \$20,000 was obtained, was quite absurd. Mr. Wolcott, who alone conducted the negotiation with Mr. Williams, swore he never heard of it—and that no additional security was asked or given—that a loan was agreed on, but at 6 per cent instead of 3—to prove which he produced the original proposal of even date with the bond. The Judge got the \$5000, it is true, but General Root's inquiry affected his health—he died some years after.

What a dangerous thing, in a country where every one depends on the law as a protector, is it to have judges ready to hold out the hand for “a gratuity,” while with the tongue and pen they sit as the paid ministers of the law, perverting justice! With Mr. Van Ness, bank gratuities were not new. When, in March, 1805, a faithful committee of the Assembly of that day asked leave to report the evidence of wholesale bribery in the matter of the Merchants' Bank charter, leave was refused, and six members implicated in the charge added, to delay or crush investigation; of these Mr. Van Ness was the first named, and he appears in unenviable preeminence on the memorials of legislative frailty in those early times of bank fraud. The press had exposed the legislature—Mr. Van Ness voted for a motion to prosecute the editor of the Citizen for libel, which was agreed to, and against another to permit him on the trial to give the truth in evidence, and it was rejected.

Judge Van Ness and Elisha Williams were old colleagues, gentlemen of talent, perhaps, but seemingly regardless of the institutions and morals of their country. I think it was Governor Lewis who selected this corrupt legislator as a Supreme Court judge, in 1809.

\* The extraordinary failures, indictments, and trials of 1826-7, and the parts played in them by Messrs. Butler and Barker ought to receive a brief notice here.

It is the interest of the land owner and steady-going business-man and capitalist, to have the currency, the money in circulation, by which houses, lands, manufactures, labor &c. are measured, of one real substantial, uniform value. When gamblers in the legislature are allowed to tamper with the money current in the country, they pursue their private interests at the expense of the state, which they speedily throw into confusion, create innumerable profitable jobs at every turn of the dice, change their ideal paper shakels into the more solid substance of land, and laugh at the folly of its ancient possessors, in allowing them to do all this. Mr. Barker, having, as he says, nothing more to lose, entered Wall street as a dealer in stocks and funds, scrip and hocus pocus; and in September 1826 was indicted by a New York grand jury, along with Messrs. Mark Spencer (who had figured in 1823, in the Chemical Bank affairs), G. W. Brown, and others, for conspiring together to swindle or defraud the Morris Canal, Tradesmen's, and Fulton Banks, and the Life and Fire Co., all of that city. After a trial of twenty-five days the jury disagreed, a lottery-office broker, having, as it is stated, stood out for Barker. They were tried again in the Circuit Court, before Judge Edwards, in November, and found guilty. Barker applied to the Supreme Court, got a new trial, and was on the 12th of July, 1827, a second time found guilty. Mr. Maxwell, District Attorney, did his duty nobly, in behalf of the country—but what will not money, party influence, and a host of influential and learned counsel effect for a partisan stock-jobber, when caught as Barker was? The indictments, trials, verdicts, and the expense, vast as that must have been, ended in a heavier tax on honest citizens, and Jacob escaped the State Prison, through the aid of such a judiciary as Van Buren, Hoyt, Blair, Butler, and O'Sullivan describe. I hope the Convention, in 1846, will purify it a little.

It was stated on Barker's trials that he had lent the Life and Fire Co. \$120,000 to prevent it from stop-

On the 7th of May, 1821, the Sandy Hill Times announced, that the banking business would soon be resumed in that village, and that Mr. George R. Barker, the successor of B. F. Butler, as cashier, had arrived, and was preparing for the resumption of payments in "the precious metal." No such resumption, however, took place for years—this announcement was, itself, a new speculation at the expense of the farmer.

In 1823, this G. R. Barker was in Nantucket, making interest to be a New York auctioneer. In 1824, its notes being bargained for at a few cents per dollar, the bank began to pay again for a time.

ping payment—and this at a time when that corporation was making dividends out of pretended profits, which induced the public to place confidence where none was due. How could he, an insolvent debtor, with two broken banks tied to his skirts, lend any one \$130,000? If he had that sum why did he not pay his debts? Barker's brother-in-law became bankrupt in Liverpool, Jan. 1816, but he says he lost but very little by him—that his (Barker's) original capital was \$250,000, and that his bank note circulation was for a long time over half a million of dollars! What losses did he sustain to outweigh the vast capital and enormous gains here displayed before us? Messrs. Butler and Barker joined, in August, 1819, in the most solemn and apparently sincere declarations, that the wealth to pay all debts was sure and abundant. Then comes poverty—then \$130,000 (in Butler's speech he says \$230,016) are lent to prop a dishonest corporation—fraud, say the juries, followed next, and there the curtain drops. Not only did Barker hire the most eminent lawyers of the age to defend him, but was also indulged by the judges with the privilege, denied to poorer men, of speaking for himself as if he had been undefended by others—but all would not do.

During his second trial, Mr. Maxwell asked his friend and witness, Joseph D. Beers—"Is Mr. Barker a man of large property or an insolvent?" The reply was—"As relates to his Exchange notes I believe he does not pay them—but he fulfills all his other engagements. He deals to a very great amount—makes large contracts—and always seems to have the means and disposition to fulfill them."

In August, 1824, the Life and Fire Co. had \$440,000 on hand—being all its capital, and \$60,000 of profits. From that day to its hopeless insolvency in July, 1826, not a line was written either in Statement Book, Journal, or Ledger—they were all kept eighteen months, designedly, blank, with officers getting \$2,350 each to fill them up! The Company had a president with \$2,250 salary, a secretary at \$2,250 more, also his assistant, and two clerks. Mr. Barker was at the office almost every day for six months before the failure, and during these six months the directors were never once assembled! When the concern was ready to fail, Vermilyea, a director, and one or two of the clerks opened the iron chest and handed to Barker securities for debts due the company to the amount of \$600,000, and made no entry on the books that they had done so! This assignment would have enabled Mr. Barker to pay himself in full for the money he had lent, when he bought the bonds at a great discount, and also to have bargained for other worthless obligations of the bankrupt concern, to use as a set-off against the securities in his hands, while other creditors would have gone penniless. If, by an understanding with the officers, he knew that \$617,000 value in securities would be delivered to him at the failure, July 18, that knowledge would have enabled him to prepare for making the most of the preference, which the officers made of him to receive the spoil. Was there no consideration in the case? Believe that who can.

They also appointed him (an insolvent debtor!) their attorney and agent to wind up the concern. Is not this very like Beers's N. A. Trust Co. and its eight or ten trusts?

The company had not been two years in business, with a capital of \$400,000, when it failed for a million of dollars, ruining many, and evidently so intending. Lives were insured; ditto, houses from danger by fire; ditto, risks by sea voyages: trusts were received; annuity business done, and the whole was a mere jack-o-lantern or will-o-the-wisp to deceive the unwary by "act of parliament." Books in confusion, directors cashiered, officers fraudulently dividing profits when both stock and profits had vanished, enormous debts contracted, the public plundered, honest Jacob Barker the only gainer—he, who knowing that a lending institution was always borrowing at a sacrifice, declared it to be to his knowledge solvent and good! In May, 1826, \$250,000 in Life and Fire bonds were very disreputably exchanged for 2500 shares of Morris Canal stock, this again was exchanged for 2000 shares of Fulton Bank stock, which went into the hands of the Mercantile Company that same day, was at once transferred to Catlin, Worth, &c.; the avails finally got within the grip of honest Jacob Barker—and \$7000 of commissions were paid to Spencer and Brown, two of the Fulton directors, as an inducement for them to agree to the exchange. \$260,000 value of Tradesmen's Bank stock were transferred to Ald. Rathbone for Life and Fire bonds, of which Barker had 800 shares. Why had he them? Why did he return them?

Mr. Leavitt, now the Receiver of the N. A. Trust Co., was a strong witness against Barker—he asked him very insulting questions, and when rebuked, said he had done so to impeach him, and that he had impeached himself. For thus calling Mr. Leavitt perjured he was fined \$100—he next libelled two of the jurors, was tried for so doing, found guilty and fined. He showed, that of 10,000 shares in the Fulton Bank, the Commissioners had given 3000 to one man—Alderman Rathbone—who, although he had not paid one cent on his shares, controlled the elections, which control and stock he sold to Spencer and Brown, who were convicted with himself, for a bonus of \$75,000—being his share at least of the profits of "special privileges."

I have been thus particular in adverting to Mr. Barker's career after the failure of a bank of his, which, to his knowledge, as he said, was "as good as any other, if not the very best, in America," in order that his conduct and Mr. Butler's language on his (Barker's) last trial (June and July, 1827) may be compared. Mr. Barker published (Gould, printer) in 1827, the trial in one volume, with his friend Butler's speech, to which I shall now refer. Butler grumbles because the spectators, "governed by the same spirit that inflames the ferocious savage, when he utters the yell of triumph in the ears of a foe, prostrate at his feet, or bound to the blazing tree, had dared once and again, in a manner the most reprehensible, to interrupt the solemnities of this trial, and to exult in the anticipated martyrdom of my devoted client?"—and the newspapers speaking of one of the verdicts of guilty, add that it was received with acclamations that shook the hall—it was public indignation against the evil doers, and could not be controlled.

Mr. Butler next lugs in religion, and says "you will join with me in supplicating the Father of Lights," &c. "If you wished to make yourselves acquainted with the properties of an insect you would use a microscope; but when you desire to investigate the elements and relations of a planet, you will select a larger instrument. Give to Mr. Barker the benefit of this obvious principle. \* \* \* I can defend him with a clear conscience. \* \* \* He has ever been found faithful to his trust." p. 238 to 244.

In a letter, from New York, March 12, 1823, Mr. Jacob Barker writes to Mr. Jesse Hoyt, "I have no news to tell you—am poor, out of business, with bad prospects, yet cannot but smile at the freaks of fortune—money very scarce, stocks falling. . . . What think you of the application for the *Tradesmen's Bank*? I feel an interest in its favor on account of Mr. Worth—yet I cannot believe it will pass. . . . If she [Ross's ship] goes the rounds well, she will probably make him a great voyage while I a poor deval am not making any thing."

Deval, terrific, dissolved, visait, proclame, co-operate, will show Mr. Barker's way of spelling certain words in his autograph letters.


*To B. F. Butler, Esq., Albany.*

Bank of Washington and Warren, Dec. 29, 1826.

DEAR SIR—This will be handed you by J. F. Shirrill, who goes to Albany for the purpose of procuring some specie. I want \$3000, and send you that amount in bills. Mr. Barker says he has written Mr. Olcott on the subject. I should not trouble you, but want the business done correctly, and fear to trust it alone with Mr. Shirrill. I send a draft for \$3000; which, if Mr. O. prefers, you will please hand him—but I should prefer his taking the notes. If you have to give him the draft you will please deposit the notes in the M. and F. Bank, to our credit, which will make a specie deposit of that amount in Albany.

Yours with esteem,

G. R. BARKER, Cashier.

How could Mr. Jacob Barker, if he was poor, lend, in 1825–6, immense sums of money to banks and insurance companies, and be honestly possessed of stocks valued at a million of money? If poor, in 1822, how was he able to organize an association to control the North River Bank? If he had means then; why did he not redeem at par the bills of the Washington and Warren Bank, which had, by the dishonest proceedings I have mentioned, been forced upon the public? Or, if his credit was mending, why did he allow four years and a half to elapse between the failure and reopening of the concern? Was not the Exchange Bank, which he did not pretend to reinvigorate, *enough*, or must the public bleed yet farther? Able personal, political, and financial friends—a long purse—rotteness *somewhere* (not among the New Yorkers, nor in the jury box, certainly)—saved him from well merited punishment—and in 1828 he set up for Senator for the first district, puffed himself in Noah's Advocate, and finding that New York had no desire to benefit by his senatorial talents, prudently resigned in favor of his friend  the inventor of the Tammany Hall Bank, Mr. Stephen Allen.

*Mr. Fitz Greene Halleck to Mr. L. Hoyt, at Albany.*

NEW YORK, May 1, 1829.

DEAR SIR—I send by the steamboat Victory, which leaves here this afternoon at 5 o'clock, a box containing *bank notes* addressed to George R. Barker, Sandy Hill, which we shall be much obliged by your forwarding to him by the very first opportunity. I wish you to keep a memorandum of all the expenses you are at, and the various transactions you attend to, and make suitable charge therefor. It is all for account of corporations "which have no souls," whose stockholders cannot expect confidential services of this kind to be performed without paying.

Your assured friend,

F. G. HALLECK, for Jacob Barker.

*Jacob Barker, New York, to Lorenzo Hoyt, Albany.*

NEW YORK, 1st May, 1830.

DEAR SIR—You have herewith recommendation of sundry persons interested in the Bank of Washington and Warren.\* If Mr. Sherman should be selected, he

\* How far Mr. Jacob Barker was interested in the original application for a charter to the Washington and Warren Bank—if at all—is not generally known. The bill, as it passed the Assembly, appointed Halsey Rogers, a creature of Mr. Van Buren's, and others, to "open the books" and distribute the stock, (then worth 20 to 25 per cent. premium,) among the faithful. Halsey was a true type of the Van Buren judiciary, *first judge (!!!)* of Warren County, and, no doubt correctly described on the Senate journal of 1834, as a

will give Alderman Gideon Lee and John R. Hedley, Esqs., as security—they are highly respectable and responsible men. Alderman Lee is very rich. The names of some stockholders have been mentioned, but as a question of liability will arise from the peculiar phraseology of the act of incorporation, I think it would be very unwise to appoint any party interested, therefore I hope that Mr. Lathrop or Mr. Sherman will be appointed, or both of them.

Yours sincerely,

JACOB BARKER.

## CHAPTER IX.

*Mr. Butler abandons Sandy Hill. Lorenzo Hoyt's morals. Poverty of the brothers Hoyt. Albany. Office only for Bucktails. War to be avoided. The Convention of 1846.*

I think it is De Retz who tells us that "those that are guilty of ingratitude seldom perceive it, because the same inclination that leads them to it, leads them first to lessen in their thoughts, the obligations they have received from their benefactors."

vile character, "guilty" of letting himself dishonestly out "for such rewards as may be extorted from the fears and hopes of applicants to the Legislature," and from "the timid and desperate." So saith Sudam's Report, and no doubt truly.

The Regency Senate threw out the bill, March 24th, 1817, Cantine and his brother-in-law Buren both de-claiming and voting against it. Yeas 15—nays 13.

Four days after, Senator Hart moved to restore the bill—this required two-thirds of the Senate, which had then 27 members. If Mr. Van Buren was opposed to banks, why did he vote for this bill, when his mere absence would have prevented it from being again placed on the order of the day? And having done so, why did he deny it in 1836, and declare, in his Sherrod Williams letter, that he had never voted but for the old Buffalo bank? Are not 16 two-thirds of 27—and was not he one of the 16? Was not his relative, Cantine of the Argus, another? What sort of arguments had the applicants for this bank used in the course of the four days with a couple of money-loving lawyers, who had "special privileges" to bestow or withhold, which induced them to talk and vote on both sides—for and against—bank and anti-bank? Guess, reader—guess.

"Of all inventions, which have been put in operation, in this country, to promote the inordinate accumulation of wealth, the most exceptionable are incorporated companies; and the worst of all incorporated companies are BANKS."—*Life of Van Buren, by Holland, assisted by Butler, p. 301.*

"Their notes are called money, and are made to perform its functions; and the prerogative of the Federal Government has thus, in fact, been usurped by those corporate bodies."—*Id. p. 303.*

"It is well known that those fathers of democracy, George Clinton and Daniel D. Tompkins, were opposed to banking incorporations of almost every kind. Mr. Van Buren coincided with them in this sentiment, and it was, doubtless, the general sentiment of the democracy of the State."—*Id. p. 83.*

Demosthenes caught a cold—a very bad cold—after accepting the golden bribe of his country's enemies. He could no longer speak in public—he was so very hoarse. Messrs. Bishop and Kemble might, like the Athenian orator, fall from a state of political grace for a time, but surely their great leader couldn't! "I have always been opposed to the increase of banks," said he to Sherrod Williams. How could he be expected to add, "and therefore recommended and voted for them!" "I have known" Mr. Van Buren "long and intimately," said Senator Benton. "He is a real hard-money man; opposed to the paper system; in favor of a national currency of gold." And yet this hard-money man could wheel about and restore to life Jacob Barker's W. and W. Bank, receiving a new light within the space of four days. Wonderful! And his law partner, Mr. Butler, could, with his advice and consent, accept the presidency of that fraudulent corporation—and when it had closed its doors, return back to his old partnership. Miraculous! "An introduction of a new bank into the most distant of our villages, places the business of that village within the influence of the money power of England," said Mr. Van Buren, in a presidential message from Washington—but he omitted to tell that he had placed within that and other yet worse influences the bank once located up at Sandy Hill!

The "restoration" of the W. and W. took place on the 29th—Mr. Enos T. Throop's Auburn Bank bill passed the Senate next day, without an opposing voice—Mr. Van Buren and everybody else being in its favor. Next came the final passage of the W. and W. (March 31st), and the Senate that had been 15 to 13 against it, sent it up to the Governor and Council, by a vote of 15 to 6. Cantine now for the bill—Van Buren below the bar! Senators Mallory and Swart had voted it down at their leader's bidding on the 24th; now they wheeled into line and voted it up again!

The W. and W. Bank bill provided that it was to issue its notes whenever the stockholders had paid into its capacious vaults ten cents on the dollar of its capital, and that the operations of discount and deposit were to be carried on at Sandy Hill only. What its operations there consisted in, may be seen by consulting the descriptive epistles of Mr. President Butler. By the month of February, 1819, its promises to pay \$278,693, were in the hands of the people, in the form of bank notes, yielding Mr. Barker \$19,528 of interest, from that source alone. How was it in February, 1820?

Mr. Barker doffed his Quaker garb about the time that war was decided on, in 1812, and turned fund-monger. After his insolvency, in 1821-3, he challenged his neighbor, David Rogers, to fight a duel, was tried, convicted, and declared ineligible to hold any office. What the revising court did with the sentence I have not heard. "Duels are a happy invention of civilization, which enable the man who has injured another, to shoot him also, and gives him who has for years forfeited his honor, the power of fighting, to prove that though he possesses not the substance, he adheres to the shadow."

Mr. Barker, Hazard, his father-in-law (a Fulton Bank director), J. A. Buchanan and others, petitioned Congress for a Bank of the United States, with 30 millions capital, in 1814. In 1832, Mr. Barker issued a pamphlet with the same proposal—only the stock to be 70 millions! He says publicly what his confederates write in secret—"We want as a government a great paper bank, the stock to be by us properly distributed."

Lorenzo Hoyt, whom the pious Mr. Butler had instructed in the mysteries of law, religion, and finance, was a law pupil of the firm of Van Buren and Butler, and, as the latter tells us, "a very fine youth." The principle he avows to his brother, Jesse, without any apology, in his letter of March 7, 1824, that any thing he could do to the prejudice of his benefactor, Mr. Livingston, and his own benefit, was justifiable, provided his treachery was not found out, is as bad as any thing we have heard ascribed to the dangerous order of Jesuits. His teachers must have been somewhat neglectful of his morals. Mr. L. had no idea that young Hoyt was trying to supplant him. On the 3d of January 1822, he thus wrote his brother:—"Sutherland in caucus says that when he told Lorenzo that I had the nomination, [of Clerk of Assembly,] that Lorenzo jumped up two feet at least. This bespeaks animation. I am much pleased with Lorenzo, and his situation will improve very much under the tuition of Seger the Deputy."

The situation of the brothers Hoyt at this time, was unenviably poor, and perhaps it would have been better for society that it had remained so. Mr. Hoyt's cruel, vicious, profligate, and persecuting career as Collector of the Customs for the port of New York, was at this period of his life not even dreamt of. He was a mere adventurer, who was ready to perform the services Mr. Van Buren required, in the hope of obtaining office and its emoluments through his influence, and his career was for a time successful. Mr. Livingston's unsuccessful effort to make Mr. R. R. Ward, the law partner of Jesse Hoyt, a master in chancery, because he had not been long enough a bucktail, will show how affairs went at Albany, better than a labored essay.

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*Mr. Butler to Mr. Hoyt.*

ALBANY, July 19, 1820.

DEAR FRIEND, \* \* \* \* \* We are boarding at Mr. Jones,' directly opposite our office, (Gilbert Stewart's house,) where we have very pleasant lodgings. Our departure from Sandy Hill was so sudden, that we left all our furniture in the house, and for the present shall continue to board out.

As to business, I have enough to keep me very busy—chiefly in Chancery—old and new. It would be well enough were it not so long before the cash was realized. But it must come some day or other. I think my expectations will not be disappointed. At all events, as I told you before, I am for the Law and nothing else—and I regret now that Mr. Van Buren ever thought of leaving his profession, which you know was what put it into my head to leave him. I think I shall make my debut at August term in the argument of some motions and cases. Though as to the last I am rather squeamish. Mr. V. B. is certainly very desirous to assist me. He has several heavy causes in which he insists on my speaking.

I like Albany about as little as you do—and, *with the exception of a few persons who are worthy of esteem*, have very little to say to the goodly inhabitants of this renowned metropolis. I think the eastern junte the most disagreeable part of them. They are generally bigots in politics, *and very full of prejudice and envy*.

Lorenzo is a very fine youth. I have got him at the Latin Grammar, in which he makes tolerable progress. I shall pay particular attention to him. I have paid \$1.25 for the order to the Register, so that you owe me 25 cents. My compliments to Mr. Barker, &c.

Yours truly,

B. F. BUTLER.

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Post mark, Albany, Mar. 8.

*Mr. Lorenzo Hoyt to his brother Jesse, at 40 Wall street, New York.*

ALBANY, March 7, 1824, Sunday evening.

DEAR BROTHER:—Yours of the 4th came duly to hand. The substance of it I had anticipated, as I saw a letter that Mr. Thompson received from you while here, in which you spoke very discouragingly as to the result of your application to the Corporation, but as I had not heard from you since, I had not entirely despaired until I received your last. It is now, I suppose, known to a certainty that you cannot succeed in getting the office you sought. If a person has nothing else to

depend upon for a livelihood than offices, which at all times depend upon the fluctuations of party predominance, I think he will soon go to *pot*. *I thought* however, *your services for the party had been sufficient to raise a just and equitable claim for some little office* of the kind, that you have been endeavoring to obtain; but it appears that the opinion of a majority of the Hon. the Corporation and my own are at variance. Well, I see we have got to contend with poverty and misfortunes as long as we remain in this life, and what we shall have to "*battle the watch*" with in the next the Lord only knows. You mention your business is again increasing a little, which I hope is the case, for if it does not, where the end of 1824 will find us, I should not like to undertake to say.

I understood Mr. Thompson, I think, if the river opened soon, that he should be up again before the close of the session; if he will not be up again *I shall write him about what you mentioned, and shall also speak confidentially to one or two of my friends, myself, on the subject; for, ANYTHING I CAN DO TO THE PREJUDICE OF LIVINGSTON AND BENEFIT OF MYSELF, I THINK I AM PERFECTLY JUSTIFIABLE IN DOING, PROVIDED ALWAYS THAT HE DOES NOT FIND IT OUT.\**

I think, and have thought all winter, that it would be best for me, after the Legislature adjourns, or after I get my pay, and square the yards here, to go some where else and locate for the summer, with a view to carry into effect the special order of the day, to wit, economy. Should you approve of this suggestion, I will mention Utica, as a place combining both the great objects I have in view, economy and improvement. Mr. Lynch says I can get board there in respectable boarding houses at the rate of from 16s. to 18s. per week, whereas I pay here through all the summer, 26s. I should regret very much to leave Mr. Butler, but I know it is decidedly for my interest to do so, and with your consent and approbation, I feel very much inclined to do it this spring. Charles is going to leave, and is going somewhere in the Western country to settle, and I shall have no person to give me any instruction in my studies if I stay. Mr. Butler cannot do it, because he is constantly engaged in his own business.

The Senate take up the Electoral bill tomorrow, and no doubt will treat it as THE POOR THING deserves. I will write you how they get along with it. I have been almost vexed at you for not writing me oftener. I wish you would write me as often as possible. My love to all.

Yours affectionately,

L. HOYT.

Extracts from a letter—Lorenzo Hoyt to his brother Jesse—dated, Albany, Dec. 24th, 1823.—"Mr. Livingston's election to the Clerkship of the Assembly, I consider beyond doubt. *His most prominent opponent is ———, a man devoid of every principle of honor, who is willing to sacrifice his character, and anything else that a man ought to esteem, at the shrine of avarice.*

If by any *casus omissus* Livingston should lose his election, *I shall endeavor to obtain a situation under his successor."*

Extract of a letter, Lorenzo Hoyt, at Albany, to Jesse his brother, in New York—dated Albany, Sept. 10, 1832, Sunday.—"I should be very much pleased to accompany you to Washington this month; but as I shall not be able to go more than once, I believe I shall wait till winter, or early in the spring. *Perhaps I shall have a case of CONGRESSIONAL LOBBYING, by which I can make it a jaunt of pleasure and profit.*

[Postmark Albany, March 26, 182—.]

Jesse Hoyt, Esq., 40 Wall street, New York. Monday evening.

Dear Hoyt,—I was unable to procure the appointment of Ward as an Examiner in Chancery, *as they thought here that HE HAD NOT BEEN A BUCKTAIL LONG ENOUGH*, and they would not let your merits count in his favor; I therefore changed my ground, and had you appointed. I hope this will

\* Strange doctrine this—and from a "republican" too! Mr. Hoyt seemed to have had in his mind the following lines in Calder Campbell—

"Nor in the eyes, nor from the words of men  
Hope thou to read their heart. All are alike  
The hypocrites of circumstance."



be grateful to you, and my friend Ward. Let Ward act as your sworn clerk. It is supposed the legislature will adjourn about the 10th of April: the sooner the better. Everything in the political way goes on smoothly. Young looks as if he had been bled; I feel sorry for unsuccessful candidates. I think in this state we ought to have a peculiar prayer for such people, and especially one in the Common Prayer Book. I shall soon have the pleasure of seeing you. Write me a long letter.

(In haste,)      Your's sincerely,      E. LIVINGSTON.

I hear much said in Congress, the Newspapers, private circles, &c., about going to war for Oregon, for Texas, for Canada, for Mexico, for our rights, and so forth—and there was a time when I did not dread war. But when I look at the successful efforts of such men as I am describing in this volume, to corrupt the whole mass of society, to substitute the machinery propelled by a band of covetous, unprincipled factious politicians, for the healthful influences of our free, elective institutions; I tremble lest their power over the public press and other appliances should hasten the Union into a war. It is reform at home, equal laws, and faithful public stewards that America requires. It is enemies within that our country should set about subduing, far more than enemies without.

War is a great burthen to a country, but it is doubly so when bad men bear rule. Well may Americans now say, as Joshua, by the command of God, said to Israel of old, "There is an accursed thing in the midst of thee, O Israel; thou canst not stand before thine enemies, until ye take away the accursed thing from among you." Gentle and courteous reader, do not these pages, alas! too clearly prove, that there is also an Achan in the democratic camp?

Let him be tried at the Convention of 1846, and there receive the reward of a troubler of our Israel.

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## CHAPTER X.

*Party Management. Origin of the friendship of Messrs. Hoyt and Van Buren. Why Mr. Hoyt got the N. Y. Collectorship. Mr. V. B. endorses his friend's paper—sends Jesse to collect debts. Miller's libel suit against Noah, who offers to quit the ship, "for a consideration." Naphtali Phillips. His son introduced by Noah, and proves a defaulter for \$600,000. "Stray sheep," goaded by their constituents. Butler gives Noah his cue, via Hoyt,—"the old forms and established usages,"—Bucktail organization in N. Y. More hints to Noah, who despatches Naphtali Phillips to Albany. More patronage. Confidential Epistles by Mr. Van Buren.*

"What can I do for you?" said Mr. Pitt one morning, when first minister of England, to one of his most devoted and obsequious dependents. "Only bow to me when we meet in public," was the sagacious reply. It would increase his influence with the public to have them believe that he was on terms of intimacy with the premier.

Mr. Jesse Hoyt well understood the value of such connections, but he carried matters farther than a bow in public, and made himself as necessary to Mr. Van Buren and his son, the present Attorney General, as he had been to President Butler during his engagement to Jacob Barker at Sandy Hill. Mr. M. Van Buren is very penurious and covetous—Jesse would run all over New York to recover a \$5 or \$10, which his late employer had reluctantly lent to some poor fellow when in trouble—would hire lodgings for him on terms of economy—would see to the washing of his clothes—the buying of his wines and groceries, or the stopping or getting subscriptions for his newspapers. John Van Buren bets, gambles, speculates in the stocks—in all this Jesse has been his humble slave. He electioneered, voted, betted, schemed, ran, stood, fetched or carried, to order—was 'more banks' or sub-treasury, Crawford or Jackson, Rufus King and negro freedom or "to jail with the missionaries," just as his patrons gave the signal. His object was self

and power—theirs power and self—patriotism, the welfare of the millions, the reform of abuses, the punishment of vile speculators, the establishment of noble and enduring principles, as landmarks of the age we live in, are not met with in their writings—probably never entered into their thoughts.

When Mr. Hoyt left the Custom House of New York, a defaulter for hundreds of thousands of dollars, although his income was equal to forty thousand a year, with his brother Lorenzo and such like *straw* securities—and this on the back of Swartwout's embezzlement of forty tons of solid silver, gathered from the merchants for the public uses—when all this occurred under the grand healing measure of an independent treasury, set up by a profligate bankrupt administration—the country looked on in mute surprise. The following correspondence will explain the seeming mystery, and it may be fitly prefaced by two extracts from Mr. Wped's Albany Evening Journal.

"Albany Evening Journal, Wednesday, May 1, 1843.

"The people may thank Mr. Van Buren for this heavy loss. The appointment of Jesse Hoyt as Collector of the port of New York was made by Mr. Van Buren against the advice of the respectable men of the party, *and with a full knowledge that Hoyt was overwhelmed with debt, and bankrupt in credit at the very time that this most responsible trust was committed to his hands.* But Hoyt had one peculiar qualification for the office, which in Mr. Van Buren's estimation more than counterbalanced all deficiencies of character or capacity. *As a shrewd and reckless political manager, he was almost unrivalled. The New York Custom House afforded a fine field for the exercise of his partizan skill.*"

In the same paper of Wednesday, March 3d, 1841, under the head of "Another Explosion," we find what follows:

"It may be recollected that when Mr. HOYT was appointed, we ventured to predict that it would be a bad business. He, like SWARTWOUT, had been a reckless and was a ruined speculator. There were few more desperate stock operators in New York than JESSE HOYT. All this was known to Mr. Van Buren when he appointed him.

But the Administration, however improperly Mr. HOYT has acted, is far the most to blame. The vast amount of Revenue collected by Mr. HOYT, instead of being safely deposited to the credit of the Government, has been kept as the private account of Mr. Jesse Hoyt! Yes, a man who had utterly shipwrecked his own fortunes, was permitted to keep some fifteen or twenty millions of dollars belonging to the Government, in deposit to his own account!

We said last fall when Loco Foco Office-holders were spending money in unheard of profusion at the Polls, that the accounts of Defaulting Collectors, &c. &c. when closed, would explain the mystery. We believed then, as we believe now, that the money which Van Burenism scattered through Dutchess, Columbia, Chenango, Otsego, &c. was obtained from the Treasury. We believe that a large proportion of the money withheld by Mr. HOYT instead of going into his own pocket, was expended corruptly in the Elections last fall. This was done for Mr. Van Buren's benefit, and we believe with his knowledge. And we also believe that if Mr. VAN BUREN had been re-elected Mr. Hoyt would have been protected. In that case the 'end would have sanctified the means.'

But while by the free use of money much was done for Van Buren, the People were too much alive to be corrupted or beguiled. Mr. HOYT bled in vain. And now, as Van Burenism flickers in its socket, either the farce of a Resignation or the mock solemnity of a Removal, is enacted before the People! Messrs. VAN BUREN and HOYT go out together, and as we believe, by collusion—the latter, in our judgment, the victim of the former."

Mr. Van Buren became personally involved in Mr. Hoyt's financial difficulties as early as 1827—whether the Collectorship enabled them to square accounts is not quite so certain.

Senator Van Buren to Mr. Jesse Hoyt, at N. Y.

Washington, Feb. 3, 1827.—My Dear Sir—Being entirely free from ENDORSEMENTS now, and my situation rendering it highly proper that I should remain so, I did not suppose I could have been again drawn into them. YOUR CASE, HOWEVER, DOES NOT ADMIT OF HESITATION. Wishing you all sorts of happiness, I remain your sincere friend,

M. V. BUREN.

Washington, Feb. 3, 1827.—My Dear Sir.—This will be handed to you by Mr. Davis, agent of the editor of the National Telegraph, who visits our State to obtain subscribers for that paper. Any assistance you can give him in promoting his object will be gratefully remembered *by the editor*, and oblige  
Your friend M. V. BUREN.

Albany, June 2d, 1822. Dear Sir—I wish you would pay my old friend Mr. Carter what I owe him, *and ask him to discontinue his paper*. IT IS UNNECESSARY TO SAY THAT I AM INFLUENCED IN THIS SOLELY BY, A NECESSITY TO CURTAIL MY EXPENSES OF THAT DESCRIPTION, WHICH ARE TOO HEAVY.

Your friend, M. V. BUREN.

Attorney General Van Buren to Mr. Jesse Hoyt, N. Y.

Dear Sir—Just as I was going from New York, Abraham P. Van S— who is a clerk in Jacob I. Barker's store, 456 Pearl Street, a 'nephew' of John C. H—, Esq., borrowed \$10 of me, under a promise to send it up, which he has not done; and, from what Mr. Hogeboom tells me, I apprehend he did not intend to do it. I wish you would see him and make him pay it to you. Ask the Secretary about the enclosed. I have never heard anything about it since I paid my \$10.

Your friend M. VAN BUREN,  
June 21, 1820.

The same to the same. Date and place torn off.

"I am afraid you will begin to think me a very troublesome friend—but I AM CONSTANTLY THE VICTIM OF IMPOSITION—that man Plimpton who own the *Aboliva*, BORROWED FIVE DOLLARS of me, when he went off, under a promise to send it up. If you would happen to fall in with him I wish you would—him—he is a graceless dog. It would incommode me very much if I should not have my carriage next week. The Governor is to be qualified to day, but Albany is as quiet as a Church. It is said that efforts have been made to raise the wind, but in vain. Mr. Clinton is universally considered here as politically defunct. I will believe that there is nothing in the story I heard in Philadelphia [a part is torn off] out of courtesy, and will want them. I go from hence in a few days.  
M. V. BUREN."

[The letter and signature are in the hand writing of Mr. V. Buren, and so is the postscript—"Mr. Hoyt will oblige me by presenting the above to Mr. Beekman [or it may be Buckner] and transmitting me the money."

Nov. 14, 1822. Dear Sir—Why did I not see more of you at New York? Judge Skinner, General Marcy and myself will come down with Saturday's boat, and wish you to engage rooms for us at the Mechanics' Hall. If he can give us his little parlor for a sitting room and bed rooms, it will be well; if not any other good rooms will do, so that they be not too high. I would rather stay on board a vessel than go into his third heavens. If you cannot do better you may let General Marcy's room be on high, and he can have the use of my room to do his business in, &c.

In haste, your friend, M. V. BUREN.

[Post mark Albany.]—March 17, 1829.—My Dear Sir—I will be in New York on Friday, and wish you to take lodgings for me at the City Hotel.

Yours, M. V. B.

It would seem that no Regency Governor could visit New York, until Jesse had prepared the way. In May 9th he had another epistle from another Governor—"Dear Sir, I shall take the steam boat next Tuesday morning, and reach New York in the evening. You will confer another favor upon me, if you will mention it to Mr. Jennings, that he may provide rooms for me.  
E. T. THROOP."

Sylvanus Miller, Surrogate of New York, brought an action for libel against Mordecai Manuel Noah, editor of the National Advocate, which was tried before Judge Betts, in the City Hall, New York, on Friday, Dec. 12, 1823, and of which

reports are on file in the Post, American, and other journals. The libel was in a letter sent by Noah to the Albany Argus, wherein Mr. Miller was charged with being an old profligate, a retailer of falsehood, an unprincipled intriguer, and an old hack—but he produced the highest evidence of unspotted integrity both in public and private life, nor did Noah make an effort to disparage his character, but produced a letter of his (Miller's) in the Evening Post of the 29th of January, 1821, charging him (Noah) with having offered to sell himself to the Clintonian party, for \$7000, abandon his press and quit New York, and stating that Mr. Clinton's friends rejected his offer. Mr. Miller admitted this statement to be his, and called witnesses to prove its truth.

Dr. Secor testified, that, in 1818, Mr. Noah solicited a private interview with him—said he saw a great political battle ahead—that he highly respected Gov. Clinton, that the allowance made him by the bucktail party was too small, and that he wished to quit it and the State, that the bucktail party had ill-treated him when he applied for an office, and were illiberal. He asked the doctor to apply to Mr. Clinton's friends for a loan of \$7000 to enable him to buy certain theatre leases—put his proposal in writing—and when asked what he could do for Mr. Clinton, would make no pledge, but if he did any thing it must be *sub rosa*. Mr. Noah's proposal was laid before four of Mr. Clinton's friends, rejected, and his paper returned to him—these persons testified in corroboration of the evidence of Dr. Secor, and Noah tried to show that the doctor had given another representation at another time. The jury agreed as to the libel, but, as Mr. Miller was a warm and active political writer, they differed as to the amount of damages.

Mr. Noah was properly defended by the virtuous Wm. M. Price.

As far back as Oct. 10, 1822, (see Evening Post,) Mr. Noah's character was well understood by all parties. "Unprincipled as Cheetham was, Noah excels him in all the profligacy that generally belongs to a political adventurer. He is his superior in the various iniquities that always distinguish the course and character of a corrupt and mercenary hirling. He has received his wages and must earn them. Destitute of principle, it is perfectly immaterial to him what course they prescribe. His press, and the small talents he possesses, are always in the market. Vagrant and pauper as he is, he is ever ready to work for money or for office. With equal facility and satisfaction he serves all who are able to offer an adequate reward for his labors. His political corruption, and want of veracity, have become proverbial." It is perhaps the strong resemblance he bears to Mr. Noah's portrait, as thus drawn, that formed one of the inducements to Mr. Van Buren not to commit himself, beyond a certain extent, to Mr. James Gordon Bennett, who appears by his letters to have been willing to go nearly as far to oblige his friends as Mr. Noah.

Mr. Noah is a Hebrew—his partner in the Advocate was Mr. Naphtali Phillips, who now is, and for many years has been, a pensioner on the public, under the guise of an Inspector in the idle men's list at the New York Custom House. His character we take from the Philadelphia Aurora of March, 1817, as portrayed by the hand of Col. Duane, father to a former Secretary of the Treasury under General Jackson.

"The paper called the *Advocate*, at New York, appears to take as much concern in the affairs of Pennsylvania, as if the proprietor and the editor received their stipend for corrupting public opinion here, as well as in New York. If cunning little Naphtali does not feel disposed to have his picture drawn under his own hand, he will confine himself to the unfortunate service to which his necessities have devoted him; the same reasons which he assigned many years ago for endeavoring to get an office, induce us to bestow on him in that particular—the charity of silence."

Mr. Van Buren took Messrs. Noah and Phillips under his protection, as his followers, with the above knowledge, and as in the case of the Hoyts and Swartwout, the people have been the sufferers.

Under the editorial head, in the New York Express of Feb. 29th, 1844, it is stated, that the Solicitor of the Treasury, in his Report to Congress, (on the Swartwout suit,) says, that after the return of the Commissioners appointed to investigate the affairs of the New York Custom House, "a suit was instituted, on the

21st of August, 1841, for the sum of \$600,000, against Joshua Phillips, who had been assistant cashier, under Mr. Swartwout. The suit is still pending." The Solicitor thinks that although S. "might be liable for monies received by his cashier, the cashier himself was also liable for this large sum, [\$600,000,] never having paid it over."

I fear that as the laws here are powerless for the punishment of *great rogues* when convicted, it will be just as well to continue the pension of Naphtali, the father, and to let his son Joshua keep what he has got. If Fauntleroy, said B. F. Butler, on the trial of Cashier White, had been tried in the United States, he could not have been convicted and brought to punishment.

How was it that Joshua Phillips came to the custody and possession of \$600,000 of the people's funds?

Through Mr. Van Buren's friend, Major Noah, as witness the following earnest appeal and interested voucher:

Mr. M. M. Noah to Major Swartwout, Hoboken—a month before the latter was appointed as Collector of the port of New York.

My dear Sir—I mentioned to you that Mr. Joshua and Aaron N. Phillips have been many years in the customs. **THEY ARE AT IMPORTANT DESKS, and THEIR CAPACITY and thorough knowledge of the business is excelled by none in the department.** In introducing them to your friendly notice I can only assure you that their experience and attention to their duties, will be useful to you and serviceable to the revenue, and that **THEY MERIT BY THEIR INTEGRITY YOUR ENTIRE CONFIDENCE.**

Truly yours,

M. M. NOAH.

New York, March 31, 1829.

Mr. Noah's standing, and connection with Messrs. Van Buren, Butler, Bowne, Allen, Hoyt, and their associates, will more fully appear in the course of the following correspondence:

Jesse Hoyt, Esq., Counsellor at Law, 40 Wall Street, New York.

Albany, Jan'y 29, 1824.

My Dear friend—The Electoral Law was to have been taken up in the Assembly to-day. . . . There is no doubt whatever that a majority think it inexpedient to pass the bill, and yet they are so hampered by premature commitments, and many of them so goaded by their constituents, as to render it almost morally certain that they pass it in some shape or other. Our reliance is on the Senate, and we still entertain strong hopes that it will be rejected there in whatever form it may come. Still, this is by no means certain, and the greatest caution and prudence, as well as the greatest firmness, are required in presenting the subject to the Senators. We have not been, and are not, idle; on the contrary, if ever men labored incessantly, the 'Conspirators' and the 'Regency,' &c., deserve that praise. . . . Make a suggestion to Mr. Noah, which I trust will not be improperly received by him. It is simply to suggest that, for the present, the Advocate should not press the claims nor descant on the merits of Mr. Crawford. We have in the two branches of the Legisl. about 105 members who are thorough-going Caucus men. Of these a majority, beyond all doubt, would prefer the nomination of Mr. Crawford, the remainder are for Mr. Clay or Mr. Adams, the smallest number being for the latter. *While these men are willing to abide by a CONGRESSIONAL NOMINATION, it is useless to advocate the claims of Mr. Crawford to such a nomination, it being CERTAIN that if any is made it must fall on him.* Besides, by pressing the claims of that gentleman you incur the risk of alarming the feelings and encountering the opposition of those firm and honest men who have gone with us nobly so far, and are willing to go with us to the end, but who are yet unaccountably wedded to Mr. Clay or Mr. Adams. And though I do not believe they could be driven from the resolutions they have concurred in, in favor of a Caucus at Washington, they may yet be induced to give a warm support to the *Electoral Law*, if they become satisfied, either that their can-

didates have no chance of a Caucus nomination, or that we are determined to force the claims of Mr. Crawford. Stick to principles; advocate the necessity of adhering to the old forms and established doctrines of the party—and express the utmost readiness to submit individual preferences to the decision of the Caucus. It will be time enough after the nomination, to defend and maintain the character and claims of the successful candidate. . . . I should think it injudicious to call meetings on this ticklish subject, especially in the country, where the meetings from necessity would be more general than with you, and where our opponents would inevitably outmanage and outnumber us. In your city, however, the line is so distinctly drawn, AND YOUR FORCES ARE SO WELL ORGANIZED, that you have nothing of that sort to apprehend.

If the meeting about to take place should not be more formidable than I think it will be, it will not be misunderstood here. Its proceedings will be considered as the voice, not of the republican party, but of the supporters of Mr. Wheaton and his colleagues, who are now very well understood by the country members—and instead of injuring I think it would render us a service if it should stand alone.

. . . . Still it seems to me that we have nothing to gain, and much to hazard by giving to this subject any further excitement of a popular character—but as Mr. Bowne knows perfectly the state of things here, your Committee should confer with him fully before they adopt any course definitely.

I omitted to make another suggestion for Mr. Noah. It is not very serviceable to talk much of *Burrites*, *Lewisites*, or the *Highminded*. Several of the two former classes are here among our best friends; and as to the latter, *Sudam*, *Bronson*, and *Wheeler*, are as true as steel, in the Senate—and Whiting, Hosmer and several others in the Assembly are among our best and most hopeful supporters in that House.

I have not written to Mr. Barker about his proposition as to voters for Electors. It has been mentioned to several, but we doubt the power of the Legislature to pass it, and if they have it, we are still more apprehensive of its policy, for reasons which on reflection I think will occur to you.

Yours truly,

B. F. BUTLER.

I opened this letter to show Judge S.

To Jesse Hoyt, Esq.

MARCH 3, 1824.

DEAR SIR:—I have the greatest aversion to having my letters extracted for the newspapers or much shown, and notwithstanding a laborious correspondence during the winter have hitherto escaped. The promulgation of my anticipation as to Messrs. Adams and Clay's withdrawing, would, you know, not induce them to do so, if it had not the contrary effect. It is best to let those things take their course, and there is no ground for fear as to the result. If they continue after New York has settled down it will be manifest to all that the contest is prolonged by them to the great detriment of the party, and of the public interest, without the least prospect of success; and it will be the business and duty of the press to make suitable animadversions on the subject. To me the course of the *Advocate* for the last few weeks has been entirely acceptable, as it has been moderate, but firm and rational, which course is, I think, the only one calculated to produce much real effect on public opinion. Such is not, however, the opinion or rather the feeling of all; on the contrary there are many who have been so much pleased and so accustomed to the many good and pleasant things the Major has said, as to regret the deprivation of them—and they occasionally complain to me that the *Advocate* has lost its spirit. As the Major has depraved their appetites he is, they think, under some sort of obligation to feed them on such viands as have become most acceptable to them. Make my best respects to him, and to our friends; tell them that for obvious reasons, they must excuse me from not writing as often as I could wish.

Your friend,

M. V. BUREN.

M. M. Noah to Jesse Hoyt, at Albany.

NEW YORK, 23d Feb., 1823.

DEAR HOYT—Your favor was delivered by Col. Brown—am much obliged for the interest you take in my affairs. Mr. Phillips will hand you this, and explain fully the object of his visit. With respect to the State printing, I cannot but consider

*myself as unhandsomely treated by those from whom I had a right to expect a different course; and am positive that on the death of Mr. Cantine there was but one voice in my favor. If management and intrigue could have been so successfully exerted as to wean away my friends or impair my claims, then there is nothing to expect from the Justice of the Republican party. I cannot blame Mr. Buel in wishing to be secured in the payments due him, but considering the difficulty we labored under in bringing the ARGUS in the republican from the Clintonian ranks—considering also the fortune which Mr. Buel has made out of it—I think that opposition does not come with a good grace from him, and that any further surveillance over the State Printing should cease. No one knows better than yourself that there was but one opinion expressed throughout the Union in relation to the perfidious course of some of my friends in this city, and but one hope expressed that the Governor or Legislature would by some public expression of opinion give those persons to understand that my services to the party were appreciated, and my future usefulness regarded with a favorable eye. This disposition certainly existed when I arrived at Albany, but great exertions are and have been made to check this favorable course. I do not concur in opinion that I should not run unless certain of being chosen State Printer. I am not so certain that I can be defeated—but if so, I am willing to hazard a defeat, reserving to myself the right of spreading the facts before the world, and exhibit the system of peddling away the patronage of the State, and above all ascertaining who are my friends; it is necessary to know who are my friends, for ulterior objects. This course will bring me in collision with the Argus, and probably with many warm friends of mine who are equally friendly to that establishment, but it will enlighten the minds and prepare the feelings of the next legislature, and they may so act as to do justice to my claims, without reference to shillings and pence calculations—and if it is deemed the policy of the friends of that establishment to unite in their attempts to injure me or check my fair and proper views, you will concur in the necessity of standing on the defensive and attacking them in return, which though it may do me no immediate good, cannot remotely benefit them. In short, I have been the faithful and zealous servant of THE PARTY, and have served that party successfully. If men whom I have had to contend against are now to pronounce on my claims there is an end of further silence—it does not comport with character or conduct to submit to it. Mr. Phillips goes up to get a section, authorising legal notices to be published in the Advocate—a patronage to which the paper is entitled, and which it ought to receive. There should be but one voice in favor of it, in a democratic legislature—and it is necessary in relation to the Presidential question. I am persuaded you and the delegation will do the best to carry it through; and I have only to say that if nothing can be done for me—if I have so grievously sinned as to be spoken of as a candidate for State printer, I hope the friends of the Argus will not visit my sins upon him. At all events, he has full powers from me to enter into any arrangement, or come to any understanding, which may tend to keep things harmoniously and comfortably afloat and prevent schism and division in our ranks—this can only be done by acting justly and fairly towards each other.*

Always, Dear Hoyt, truly yours,

M. M. NOAH.

"Old Beeswax" says that the Adjutant General must live in Albany. Will General Hatheway do so?!! Should a Senator accept the office?

WASHINGTON, March 6, 1824.

Jesse Hoyt, Esq.

DEAR SIR,—I have received yours this moment. I cannot help what Messrs. Lynch and King may choose to infer from my looks, but the truth is that I have at no time doubted of our complete success. The great influence which was exercised here to prevent members from attending the caucus, and the subservency and ingratitude of some who have partaken largely of the favor of the party, were calculated to excite strong feelings, which were doubtless sometimes manifest, but dependancy is a weakness with which I am but little annoyed. On the assumption that New York will be firm and promptly explicit, we here consider the question of the election substantially settled. Neither Mr. Adams or Mr. Clay

can keep in the field after the course of New York is positively known. *The information on which this opinion rests, and the reasons in its support cannot be given in a letter.* I will myself be easy on the subject, and so will our friends here, who never were in better spirits or felt stronger confidence. Make my best respects to our friends.

Yours cordially,

M. V. BUREN.

Senator Van Buren to Mr. Jesse Hoyt.

Dear Sir—The attack on the Vice President\* has produced very great excitement. The course pursued will cause it to recoil with severity. There is of course not the slightest pretence for the allegation. Mr. Satterlee Clark of your city is the "gentleman from New York." My friend Judge Rowan is 45 inches round the chest. My quondam friend John A. King, whilst here, stayed with Mr. Webster; and when he parted from me I was so sensible from his manner that he carried advices from here which would induce the administration folks to come out against me that I wrote confidentially to Campbell by the same mail my impressions, and requested General Van Rensselaer to look out for it in the *American* the morning after they left us. The result has I think verified my conjectures. Say nothing of this as coming from me.

In haste, your friend,

M. VAN BUREN.

Washington, Dec. 30, 1826.

## CHAPTER XI.

*Mr. Jesse Hoyt elected to the Legislature. His brother reports for the Press. Col. Stone. Mr. Van Buren on the victory of 1828. Anti-masonry. Majorities useful for bets. Noah's defeat, and opinions of his patron.*

In 1823, though a stranger in New York, party organization, controlled by the wire-pullers of Tammany Hall, sent Mr. Hoyt back to Albany as a representative of the city of New York, where he proved a thorough-going instrument and most serviceable partisan. He made some speeches but they were dull and heavy; eloquence is not his forte. In 1824, he made an effort to obtain the office of district attorney of New York, but failed. In November, 1828, his patron became Governor elect of New York, and his party had by this time come round to the popular candidate for the presidency, Andrew Jackson.

Extract of a letter—E. Livingston to Jesse Hoyt, Albany, July 18, 1822.—"You will have warm work this fall in New York. If you can get on the [Assembly] ticket you will (frankly) disappoint me as much as you have your Albany friends. They asked here, 'Who is this Hoyt of New York that was engaged in a cause in Rhode Island, with Webster, &c?' 'The store keeper,' said I. 'The store keeper!' said they—'well, what's this world a coming to!'"

Extracts from a letter—Lorenzo Hoyt, at Albany, to his brother Jesse at New York—dated June 20, 1824.—"I have commenced reporting regularly for the Mercantile. Charles and me do it together, as we formed a partnership before the commencement of the session. . . . You say you are making a push for the office of attorney to the corporation, and I think your claims are good, I hope you may succeed—but I presume it is doubtful, as you undoubtedly have to contend with powerful opponents, I shall not be much disappointed if you fail—but I would make a grand *sally* to carry my point this time."

From the same—Feb'y 15, 1824.—"The Federalists of your city are not very strongly represented in Colonel *Stun*, of the Commercial. He is rather an inefficient man, and very little notice is taken of him, except when he is cautioned by the presiding officer of both Houses to beware how he obtrudes himself within the precincts of those walls, from which he was once ordered by competent authority to keep aloof. Our eyes in this quarter are at present turned towards Washington, and are anxiously waiting to get the result of the caucus."



*Senator V. Buren to Mr. Jesse Hoyt, New York.*

Postmark, "Alby. Nov. 8, 1828. *Free, M. V. Buren.*"

My Dear Sir: I thank you sincerely for your several communications. They have been a source of both pain and pleasure to be—the latter on account of their contents, and the former on account of the extreme difficulty I have had to make out what their contents were. You would certainly correct this, if you knew now extremely painful it is to your friends. I would have written to you before, but have had no time to eat my meals. My house has been run down by my friends, at one moment flushed with victory, and the next frightened out of their senses, and frequently without cause for either.

Laying the efforts of Anti-masonry out of view, and of which we have as yet not much beyond rumor, the election has been a real old fashioned ninety-eight fight. Everywhere, as far as ascertained, we have succeeded in democratic counties by overwhelming votes, and lost in counties that were formerly federal by small majorities. Saratoga was doctored to death if it is lost which is not certain. The name of Adams, and the character of the discussions, have brought old feelings into entire and efficient operation. The result, according to my present knowledge and belief, has been (under the circumstances) signally triumphant. The following vote upon the electoral Ticket I regard as absolutely certain. If there are any mistakes in it, in your part of the State, you can, of course, correct it.

Queens and Suffolk 1 ascertained.—Kings 1 do.—New York 3 do.—Westchester and Putnam 1 do.—Dutchess 1 do.—Orange 1 do.—Ulster and Sullivan 1 do.—Green and Delaware 1 do.—Schenectady and Schoharie 1 do.—Herkimer 1 do.—Otsego 1 do.—Onondago 1 do. We have only partial returns, and they are favorable. I cannot think there is the slightest doubt of this County. Ascertained. Cayuga 1 ascertained.—Chenango and Broome 1 do.—Tompkins and Courtlandt 1, not ascertained, but without the slightest doubt.—17.

Now, I have not time to speak of the chances in the other districts; you must make them out from the papers. For myself, I should think good luck alone would give us a few more, and I shall be egregiously disappointed if we do not get 20 at the very least. You need not believe their stories, for they have not the slightest respect for truth in most cases. We shall therefore have votes enough to put Jackson's election out of all question, and WHAT IS OVER IS ONLY IMPORTANT ON THE SCORE OF BETS.

Our Governor and Lieut. Governor majority *will be immense*. The only 4 towns in Broome (A CRAZY COUNTY) have given me an unanimous vote, viz. 1000, and the others, it is supposed, will not reduce that. Everywhere I get the true party vote, *and in many places Southwick's vote will be large*. We shall have nearly 3000 in Ulster and Sullivan, and between 1500 and 2000 in Cayuga; we have carried our Senators in 4 districts, and have a good chance to carry them in most of the others. Our majority in the Assembly will be as large as is desirable. Contending, as we have done, against Federalism, revived Anti-masonry, and Money, I am satisfied with the result. I SORELY REGRET THE LOSS OF NOAH'S ELECTION, AS WELL AS ON HIS OWN ACCOUNT, AS ON ACCOUNT OF THE COST HIS ELECTION HAS BEEN TO THE PARTY; but one point is gained, viz: he must be satisfied that *his friends have, with their eyes open, sustained a great struggle, and run much hazard on his account*. I hope there will yet be some way found out of doing something for him. I shall be down on Tuesday. In the mean time show this to my friends Bowne, Verplanck, Hamilton, and Cambreleng. Tell Verplanck I have no doubt you was as much frightened as he says, and am quite certain that you have as much pluck as you claim. Remember me to Mrs. Hoyt, and believe me to be,

Yours cordially,

M. V. BUREN.

Having, thus, given the Governor elect's confidential statement, in the moment of a victory which laid the foundation of his power, so long exerted in the Union for evil; and reminding the reader of his and Mr. Butler's opinion of Mr. Noah, knowing him as they did—I select this as the appropriate place in which to record their

friend's sentiments regarding them. Make room, gentlemen, for the witness, Major Noah!—the Regency's Council of Appointment made him High Sheriff of N. Y.—General Jackson, Mr. Van Buren, and the Senate of the Union appointed him Surveyor of the Port of New York—the Supreme Court made him a Counsellor without study—and the whigs dubbed him a Judge at the Tombs—but the people never trusted him—when he appealed to their suffrages, money, organization, hired presses, and electioneering—all failed. The Irishman (Shaw) succeeded, and Mr. V. Buren lamented “the cost” to the party.

From the N. Y. Evening Star, June 23, 1834.

Talk of Aaron Burr in comparison with Van Buren!! Why, Aaron Burr's ambition was a broad, bold, enterprising passion—carried onward by great talent—sustained by personal courage, and having the establishment of empires for its object; but Van Buren's petty intrigues, are a mixture of fawning sycophancy—a traffic for office—a selfish speculation on political chances—a town-dividing, county-splitting policy—a stock-jobbing experiment—a system of rewards and punishments—a little, tricky, manœuvring, skimming, selfish, non-committal spirit, unknown to men of patriotism, spirit, purity, and tried talents. It is working with small agents—controlling weaker minds—basking in the sunshine of other men's influence—watching the turns of the market—ploughing to-day with the working-men—to-morrow with aliens and adopted citizens—pulling every string and moving every wire that make up the political capital of this ambitious and mischievous little man, through which he hopes to force his way to the presidential chair.—*M. M. Noah.*

And again—in October—

To-day he gets up a plan to hold the state captive by a chain of safety fund banks, whose existence depends on paper issues; to-morrow he is in favor of a metallic currency, to please a higher power, whom he fears. While professing to be a democrat, he enrolls in his legions the apostate of every party; he binds to him by the close ties of *interest* every active politician, every speculating editor. He appeals to the hopes and fears of every office holder, opens a correspondence with the Pope to obtain catholic votes, and degrades his own country to stand well with the British government, is the friend and the enemy of the Bank of the United States, the patron of the Kitchen Cabinet, the flatterer and sycophant of the President.

When we look at the career of Mr. Van Buren, we are astonished at his perseverance, his industry, his close calculations and his active, untiring spirit. Ever restless and perturbed there is no chance that he leaves untouched—no efforts untried. He travels from county to county, from town to town; sees every body, talks to every body, comforts the disappointed and flatters the expectant with hope of success.

The world will ask is this perseverance, this industry, this extreme of management to benefit this country, its constitution, its prosperity, or to promote its tranquillity? We answer, *no, no, no*—it is with the hope of *benefitting himself*, of promoting his own *advancement*. With Martin Van Buren, the world has no allurements but for *himself*; the splendid country which gave him birth, no glory that he can not appropriate to *himself alone*. He does not know the meaning of the word *patriotism*; it has no place in his vocabulary. Is it not strange, that with all these facts *admitted* he should have hopes and strong expectations of becoming the Chief Magistrate of this great nation? And yet it is so.

Every paper almost that we open speaks contemptuously of Van Buren's prospects for the Presidency; but they speak without knowing the labors of the man, and the vast machine of intrigue and corruption that he has set in operation in every part of the Union; they speak under the impression that the *people* will choose their President without reflecting that it is the *will* of the present Executive and so transmitted to every office holder throughout the land that Van Buren is *his* choice for the succession; they do not see the fox prowling near the barn; the mole burrowing under ground; the pilot fish who plunges deep in the ocean on one spot, and comes up at another to breathe the air. If it were the free, unbought, unthreatened voice of public opinion, his chances could not be counted, but Van Buren trusts nothing to the good opinion of the people; their will, their wishes, their desires, their frank and unbiassed suffrages, he rejects and repudiates, his appeal is to the *interests* and the *fears* of men, he secures those whom he imagines *controls* public opinion, he buys the *leaders*, and makes *them* accountable for the rank and file.—*M. M. Noah, Star, Oct. 1834.*

The same M. M. Noah that wrote the above on the one side, published on the 20th of Feb. 1828, as follows, on t'other :

"The question is everywhere asked, 'Who will be our next governor? Where shall we find a man of the talent, the business habits, and the enlarged views of Governor Clinton?' Martin Van Buren seems to be the most prominent citizen for that important office. He is most familiar with the affairs of State—the most conversant with its political relations. His talents are of the highest order. His integrity has never been questioned, and his manners are at once frank, amiable and popular."

On Sept. 29, he hoists his flag for Van Buren and Throop, adding—"We have now two candidates of the old democratic school." And on the 3d of November, just five days before his friend the governor elect penned the foregoing epistle, he adds—"The whole State appears animated with but one voice—it is Van Buren and Throop—both incorruptible republicans of the old school."

When shall America cease to encourage, sanction and applaud the Noahs, Ben-  
netts, Butlers, Van Burens, Hoyts, and Crowsells, who thus make sport of the dear-  
est interests of a lovely country?

"Solomon says somewhere or other, I think it is in Castlevetro's, or Castlenuo-  
vo's edition—is not there such a one?—that the infatuation of a nation for a foolish  
minister is like that of a lover for an ugly woman: when once he opens his eyes,  
he wonders what the devil bewitched him." The quotation is from Horace Wal-  
pole, and although it is well understood that Mr. Van Buren is determined to leave  
no stone unturned that may be in the way of his serving out another four years, yet  
we would fain hope that "the magician" will be no more able to bewitch Co-  
lumbia.

I was rather astonished, in 1841, to see the following description admitted as a  
communication under the editorial head of the N. Y. Evening Post :

"Mr. Van Buren has little moral faith of any kind; barely enough to need no artificial  
excitation of body or mind. This deficiency drives him into an artificial code of political  
practice, in which he refers all social actions to individual interests, and all political actions  
to combinations of those interests. He believes firmly in the force of *management*, or the  
cool, considerate, artful application of general propositions to the existing temper and opin-  
ions of the masses, as far as these can be ascertained, and without any leading reference  
to their propriety or durability. His generalization of social phenomena never reaches so  
far as to a moral power, or necessary truth in public opinion; but he simply deals with the  
collective opinions of men, as manifested by the representatives, or otherwise conspicuous  
individuals from or among the people, by means of certain easy rules analogous to addi-  
tion, subtraction, multiplication and division in arithmetic. He belongs wholly to the  
present time, and may be said to represent *trading* or business politics. He is the very im-  
personation of *party* in its strictest features of formal discipline and exclusive combination.  
He is ceremonious, polite, reserved in manner, very small, and extremely neat in per-  
son."

## CHAPTER XII.

*Letters, by Gov. Van Buren, and Messrs. Cambreleng, Coddington, J. A. Hamil-  
ton, Ingham, Dudley, L. Hoyt and Butler. The Health Office—Drs. Westervelt,  
Havens, Manley, McNeven. "The party" saved by a doctor. Mr. V. B. afraid  
of Col. Pitcher. Jesse Hoyt and the Dist. Attorney's place. Coddington office  
hunting. He is ready to abandon Jackson and the party, if, &c. Hoyt, Butler  
and V. B. on office. John Duer in danger. On plighting faith to Mr. V. B.  
V. B.'s friendship for W. A. Duer.*

["2 sheets, charge M. V. B." Post mark, "Albany, Feb. 8."]

*Private.*

ALBANY, Feb. 1, 1829.

Jesse Hoyt, Esq., Counsellor at Law, New York.

MY DEAR SIR,—I am distressed by Lorenzo's accounts  
of your affairs in New York. When will the Republican Party be made sensible of

the indispensable necessity of nominating none but true and tried men, so that when they succeed they gain something? The same game that is playing with you was in a degree played here on the nomination of Attorney General. *The only personal objection that was made to Mr. Butler, was his conduct last winter in regard to the Clinton Bill, and I believe that every Clintonian in both houses voted against him, except Charles Livingston, of whose vote I am advised. Mr. B. depended upon your city vote, and would have succeeded if he had got it. Cargill, Arnold, Alburts, and Mr. Allen, voted for him—beyond that nothing is known. I must insist upon you not mentioning my name in connection with this subject in any form. Make it a point if you please to see my good friend CODDINGTON, and say to him that I have not been able to follow his advice in relation to the Health appointments, and hope to satisfy him when I see him that I have done right. The claims of Dr. Westervelt were, taking all things into the account, decidedly the strongest, and much was due to the relation in which he stood to Governor Tompkins, especially from one who knew so well what the latter has done and suffered for this State. I should forever have reproached myself if I could have refused so small a tribute to his memory. Westervelt is a gentleman and a man of talent, of a Whig Family, and a Democrat from his cradle. He was three years in the Hospital and five years Deputy Health Officer, until he was cruelly removed through the instrumentality of Dr. Harrison, who, to my knowledge, owed his appointment to the unwearied and incessant perseverance of Governor Tompkins. Havens has been at the station but a year and has never seen a case of yellow fever in his life. All that I could do for him (and he has not a better friend in the world,) was to satisfy myself that Dr. Westervelt and the Board of Health would retain him in his present station. I cannot dismiss Dr. Manley. His extraordinary capacity is universally admitted; and his poverty, and misfortune in regard to the new Medical College which he brought into existence but failed to get a place in it, has excited a sympathy for him with medical men in all parts of the State of unprecedented extent. Mr. Clinton was so sensible of it that he once actually nominated him for health officer, and was upon the point of doing it again the very week when he died. His removal if made could only be placed on political grounds, and as he was a zealous Jackson man at the last election that could not have been done without danger.*

Butler feels less than any of his friends.

Yours truly,

M. V. BUREN.

I had promised not to interfere and did not.

Jesse Hoyt, Esq.

Dear Sir—It is impossible to judge correctly without a view of the whole ground. Some two or three weeks before the meeting of the Legislature, Sudam by letter requested my neutrality. I shewed to Mr. Butler, and, with his approbation, replied, that I would consider it my duty, under all circumstances, not to interfere. Bronson's friends had the address to push Dudley into the Senate, and MARCY WAS SO SITUATED THAT I MUST MAKE HIM A JUDGE OR RUIN HIM. These circumstances gave color to the clamour about Albany dictation, which it became necessary to respect. No one was better satisfied than Mr. Butler of the impolicy and positive impropriety of my interference, as matters stood. My friend Campbell is certainly wrong if he blames me. He was as anxious to have Manley retained as to have Hitchcock appointed, and the amount of his advice, therefore, was, that I should give the two most valuable offices to two old Federalists who never acted with us till last fall, and that to the exclusion of a young man who, with all his connexions, have been Republicans in the worst of times—who has already been sorely persecuted, and whose firmness SAVED US AT THE HERKIMER CONVENTION—for, had it not been for the fearless and prompt stand taken by Dr. Westervelt after the first informal ballot, PITCHER WOULD UNDOUBTEDLY HAVE BEEN NOMINATED. After all, it is very doubtful whether he gets through the Senate. Mr. Schenck is co-operating with the opposition in the Senate, and all the old enemies of Tompkins, to get him rejected. About one third of the Senate are absent, and the probability is that he will fail. If so, I shall not nominate Havens. I have been very friendly to him, and have done all that was necessary to secure him (with good conduct on his part) in his present place, and I can never lead myself to promote the views of

those who coalesce with our enemies to sacrifice Republicans who stay at home, and trust to their friends that they may get their places. *I should not have given Manley the office originally if I could have found a competent Republican to take it.* But being [in]competent and poor I could not think it proper to remove one Clintonian Jackson man to put in another. *Dr. McNeven was his own only competitor.* Targee has had as little to do with the matter as you have, and less than Mr. Bloodgood, or about as much. I regret the state of affairs with you. It will work itself clear in the end. The general remedy is an alteration of the time of your charter elections.

Believe me to be, very sincerely your friend,

M. V. BUREN.

Albany, Feb. 8, 1829.

Barker yesterday presented his formal complaint against the Recorder. He behaved with great propriety, you must say nothing of my views in regard to Havens.

(Post mark Washington.)

Washington, 7 Feb., 1829.

Dear H.—I have your letter for the Major [Noah,] who has not yet arrived—when he does he shall have it. *When the time comes to strike there is no man for whom I would do more than for our friend Mr. C. [Coddington,] none deserves more than he does.* You are mistaken—Ohio is for *itself*. I expect soon to hear the result of your ballotings.

Very truly yours,

C. C. CAMBRELENG.

New York, Feb. 13th, 1829.

Dear Hoyt—I have seen Al. Coe, he has signed in your favor, making five; and he informs me there is no doubt of your getting the eight that voted for you in caucus—and in addition I have no doubt you will get Lee, which is all that is required.

You no doubt remember what I told you three weeks before the election of Mayor, *That Bowne must and should be the Mayor—that I seldom failed in what I undertook in earnest* (particularly for other people—how it will be with myself I know not) *in the way of politics.*

The result will be this in the end. You'll be District Attorney and Sherman Clerk.

Noah's having gone to Washington, several of those who voted for him in caucus have left him, under the impression he will get something there.

His claims are certainly far greater than Sherman's and I have not the least doubt he would have succeeded but for this impression.

You may rest assured I shall leave nothing undone that can be done fairly and honorably to promote your interest.

General Duff Green was elected Printer to the House on *Teusday* by a majority of two votes, and General Jackson was in the neighborhood and expected in Washington on Wednesday.

I observe that our friend *Silas Wright, Jr. Esq.,* has reached Albany.

I want you to go with Cargill and Arnold to the Chancellor, to Judge Marcy, the Comptroller, and Secretary of State.

If they do not like to sign my naked application, you'll please draw up a joint letter for them to sign in my favor, addressed to our two Senators in Congress stating they are personally acquainted with me, and recommending me as a suitable person to fill the office of Surveyor and Inspector of the Port of New York.

This I want you to attend to without delay, as they may get committed.

Recollect that T. L. Smith (the Calhoun man,) is a candidate—don't let him or his friends know that I am an applicant until after we get all the signers we can.

If anything of interest occurs I will write you again.

Yours truly,

"Jesse Hoyt, Esq."

J. I. CODDINGTON.

Address, "Jesse Hoyt, Esq., Albany." Per G. Tucker, Esq.

"SUNDAY morning.

New York, Feb. 16, 1829.

"Dear Hoyt,—We had a full meeting THIS morning at Head Quarters—Alberman C. of the first was there—also Judge O. (I mean his brother Jesse), Capt. Coffin, &c. &c.

We had under consideration the Major's letter from Washington, which you'll see in this morning's Enquirer—also your nomination for District Attorney.

Alderman Cebra declines signing any paper, but says they know where to find him, and is willing to go into a ballot immediately, and would vote for you.

Colonel Robert Arnold of New Jersey dined with me to day. He is just arrived from Washington, and informs me that there is no doubt of our friend Governor Van Buren's being Secretary of State.

I have availed myself to write thus much in time to send you through my neighbour Gideon Tucker, who leaves here this morning, for Albany.

Very Respectfully, &c.

J. I. CODDINGTON.

12½c. P'm'k. N. Y. 20 Feb. Address "Jesse Hoyt, Esq., care of Lorenzo Hoyt, Esq., Albany."

New York, Feb. 20th, 1829.

Dear Sir—I am in receipt of your favors of the 16th and 18th, and am pleased to learn that Mr. T. L. Smith is not an applicant—but really I don't understand the impropriety of getting the support of our Republican Friends in the Legislature, whether from Town or Country.

It is not a new thing. I have known it to be done both in this State, and also in other states, by persons applying for offices under the General Government.

I remember signing *for the friends* of several of the Country Members the winter I was at Albany, but if I recollect right I told you my object in getting the Country Members *was not so much with the view of strengthening me as it was to prevent others from getting them.*

I shall be perfectly satisfied with any course you and my other friends may think proper to adopt.

Before the receipt of your last letter I saw Al. C. of the 1st on Change yesterday. He asserted boldly that he would support you for District Attorney.

He cannot nor dare not back out.

I called to day at Coe's to know if any more had signed, but he had not the paper, and informed me that the Recorder had it—and I intend to see it to-morrow, (would to-day but for the violent snow storm—at least 12 inches *has* fallen since morning,) and endeavor to get the 9 to sign, and I think there is no doubt of getting that number.

I observe you wish it kept a secret that our friend the Governor is going to Washington.—Why even our opponents know it here. . . . . As I have got Allen and Bogardus, would it not be well enough to get our other two Senators from this district?—This I leave entirely to you to do or not to do. Muir (General) tells me that Arnold told him that he had got the Chancellor on, but as you say nothing about, tho't perhaps he was mistaken.

If he has not signed should like you to get him.

I have one more favor to ask you—let me know the day that Mr. Van Buren will probably leave Albany for Washington.

Your friend

J. I. CODDINGTON.

In a long letter of Feb. 23d, 1829, per mail, J. I. Coddington says he has had a confidential letter from a M., of C., Wash'n, announcing who the members of the Jackson Cabinet were (it was correct)—Codd'n bids Hoyt take the list to Gov. V. B.—he then winds up—

"I have to renew my request in mine of Saturday, which is, that you'll ascertain as near as you can what time Mr. Van Buren will leave Albany."

"P. S. I open this to say that my Washington letter says that the general opinion was that Gen. Jackson meant to take of his friends. J. I. C."

Per Mail—"Jesse Hoyt, Esq., Albany." Post-mark, N. Y., 29th March 12½ cents, red ink.

“Confidential.

New York, March 29th, 1829.

My dear Sir—I have received your favor of the 25th.

My interview with Mr. Van Buren was not quite as satisfactory as I could wish

or indeed had a right to expect, after hearing what Silas Wright, Jr. said to Arnold. I will explain further when I see you.

*It may all end very well, but I am prepared to hear of Noah, or Hector Craig receiving the appointment.*

You no doubt have heard ere this that Major Swartwout, of Hoboken, is to be Collector of New York. He told me so himself.

The General had promised it to him, provided he could make certain arrangements, which he says he very soon accomplished, and sent on—and expects his Commission on Tuesday morning. But notwithstanding all he says, Alley, Fish, and others don't believe it, or rather won't believe it.

Frank Ogden, it is said, will go to Liverpool. *You will recollect that Cambreleng expects this appointment.*

Thus (if true) are TWO OF THE VERY BEST OFFICES in the gift of the Government GIVEN TO PERSONAL FRIENDS, and *without even consulting his Cabinet.*

There is considerable dissatisfaction here that Mr. Van Buren was not at Washington sooner.

Messrs. Bailey, Alley, Bloodgood and Fish, and others, called on Governor Van Buren on Monday, and expressed to him *what they deemed the wishes of the Party*—that Thompson, Duer, &c. ought to be removed.

The Governor told them that he had received a long letter from you respecting removals—but particularly about the District Attorney.

It is said C. D. Colden is a candidate for Duer's place. If so, there is another *personal friend of the General's in your way.*

**IF THE PRESIDENT PERSUES THIS COURSE THE PARTY IS RUINED, AND THE SOONER WE BEGIN TO BUILD UP A NEW THE BETTER.\***

Let me hear from you again soon, and believe me to be yours truly,

J. I. CODDINGTON.†

James A. Hamilton, Acting Secretary of State, Washington, to Jesse Hoyt, at New York.

Department of State, March 10, 1829.

Dear Sir—I have with pleasure received your letter. As to Mr. Duer, I will say to you, as I said to his Brother-in-law Mr. Bunner—"While I am not called upon to make an effort to displace Duer, his conduct on an occasion of great feeling and delicacy, (the controversy with Mr. King about the 'Hamilton Papers') was not such as to occasion regret to me if he should loose his office, or to induce me to turn a finger to retain him." *I agree with you entirely in the propriety of making changes FOR THE REASON YOU SUGGEST.*

With very great regard, your friend and servant,

JAMES A. HAMILTON.

Franked, S. D. Ingham, Treasury Department.

"Jesse Hoyt, Esq., New York."

Dear Sir—I have received yours.

The District Attorneys have usually been recommended by the Secretary of the Treasury—but often the applications have been made directly to the President.

\* Coddington afterwards got the New York Post-office. It is evident that self was the ruling principle with him. Had it not been, he would not have dreamt of deserting those he had acted with, and endeavoring to raise a mutiny in the republican camp, because General Jackson had given away one or two out of 60,000 offices. He is fond of intrigue and management, hence his friendship for Van Buren. At the 8th of January dinner, at Tammany Hall, this year, his toast was "Governor Van Buren—his fidelity as a partisan—his talent and integrity as a statesman, have secured him the choice of the people."

† That Messrs. Coddington and Swartwout were upon as intimate and friendly terms with each other as Messrs. Swartwout and Hoyt, at the time when Coddington threatened to mutiny and build up a new party to oppose Jackson's measures, is evident from the following among other private letters:

Mr. J. I. Coddington, to Collector Swartwout, New York, May 6th, 1829.

Dear Sir—Mr. Isaac Warren is the *Old Democratic Republican* in whose favor I spoke to you sometime since. He has been trying to get an appointment from Mr. Thompson, the last seven years—and hope he may now succeed. Mr. White and Mr. McDermutt have also requested me to speak to you in their favor for a situation. *I have also to request that so able and efficient an officer as Mr. Nathaniel Hunt may not be removed.*

Yours most respectfully,

J. I. CODDINGTON.

As to the several particulars noticed in your favor, I can only say that it becomes us to speak rather in action than by words, lest the latter may be misunderstood—the former cannot be.

Excuse short letters—necessity compels me to be very brief.

Yours sincerely,

S. D. INGHAM.

Washington, 11 March, '29.

WASHINGTON CITY, March 14, 1829.

Jesse Hoyt, Esq., New York.

MY DEAR SIR,—I have been favored with your esteemed letter, dated the 9th inst. In reply to your question, I will state, that from no other person excepting yourself have I received any communication touching the office of District Attorney. Mr. Sanford tells me he has also received a letter from you, and that the office in question, the bestowment of it, is with the Department of State; Mr. Van Buren will, of course, have much to say in it, and to whom you observe that you have written. *There will not be any removals from office before the Senate adjourns*, at least from offices in your city, as I am informed. It was expected that we should adjourn this day *sine die*; but we meet again on Monday, when there will, I have no doubt, be an absolute adjournment.

The appointments are all announced in the papers—the few nominations left to act on are of a military nature—Brevets, &c. With great respect, I am, dear Sir, your faithful and obed't serv't,

CHAS. E. DUDLEY.

P. S. I shall have the pleasure of seeing you at New York on my way home, most probably.

C. E. D.

*Mr. Lorenzo Hoyt to his brother Jesse.*

ALBANY, March 17, 1829.

MY DEAR BROTHER,—I have received your letters of late—those on the subject of *District Attorney* among the rest, and I have seen and read the one to *Mrs. Butler*. It seems to me to have been labor lost, for at the last conversation I had with her about the Washington expedition, she seemed as firm in her opposition as ever. What they will ultimately conclude about it, I don't know; they will probably come to no determination at present. I also saw your letter to Mr. Butler. His opinions and feelings had undergone a great change *about the District Attorney matter* since he saw you. I met him in at Mr. V. Buren's, Saturday afternoon, and the conversation between us three, who were alone, accidentally turned upon that subject; and Mr. Butler then observed, that he began to think quite differently about it; and he now says, what I could not but think he would say, that *he can do nothing for Duer*. He thinks your last letter places the subject on a strong ground; and that such arguments, *addressed to Mr. Van Buren, would be very apt to kindle a proper feeling of resentment AGAINST A SET OF MEN WHO HAVE NOT IT IN THEM TO BE HONEST AND TRUE TO HIM*. Mr. Van Buren observed, on the occasion that I have mentioned, that he had a letter from you that morning, and that you had set about the matter with a very determined spirit. I further understood him to say, that he should not interfere, *especially to save Duer*. Before much had been said on the subject we were interrupted by persons coming in. I am a good deal surprised that Mr. Van Buren can be neutral in this, and that *he will not lend the utmost weight of his influence to displace from office such men as John Duer*. He ought to be satisfied by this time, that that class of men can never be his real or pretended friends, any further than is necessary to promote their own interest; but *strange as it may seem, I do believe that his fear of the effect of such a measure, is the only motive that would prevent his conferring on W. A. Duer, any office within his disposal*. You will probably see him when in New York, and you ought then to present your views to him in the plainest manner. If we have been struggling for the success of Jackson and the acquisition of political power, for the benefit of our opponents, I wish to know it, so that I may know how to act hereafter. From the manner in which the President has exercised his power thus far, I am inclined to think, that he will go "the whole Hog."

Mr. Van Buren left this morning about 11 o'clock. Mr. Butler went with him as far as Kinderhook or Hudson. Write me.

Yours affectionately,

L. H.



[Addressed to N. York—post mark Albany.]

Jesse Hoyt, Esq.

Albany, March 19th, 1829.

My Dear Sir—I have not been able to furnish Chancellor Walworth with a copy of ——'s answer, my original copy having got into that celebrated receptacle of Chancery papers, from which nothing is ever to be withdrawn—the draw or bushel basket, (I don't know which,) of his venerable predecessor. . . . I wish I had time to say something of your last letter, but as the hour for closing the mail is at hand I must defer, and if I defer the whole matter will tumble into Limbo, for I never can undertake to answer an *old* letter. You do me injustice in your mode of stating the case. As between you and John Duer I never can hesitate. You are not only the *oldest* friend, but *most assuredly* HAVE THE STRONGEST POSSIBLE CLAIMS UPON ME—claims which I hope to convince you I have not forgotten, and can never forget.

Mrs. B. continues to think illy not only of the Washington people, but of *your* arguments in its favor. I shall submit the matter wholly to her decision, though my judgment, not less than my inclination, tells me she is wrong in some of her objections—if not in all.

Most truly yours,

B. F. BUTLER.

## CHAPTER XIII.

*Brownson on Restorations. Swartwout to Hoyt. Office Hunting.*—"to the Victors belong the Spoils." Jesse advised to "push like a Devil." He does so. Addresses Sec'y Van Buren. Bryan Farrall. Help your friends. Heroics—"blood nobly shed." Retributive justice, &c. Rudolph Bunner's bargain. Gouverneur's bet. Jesse hits hard—threatens to issue "the Life and Adventures of John Duer"—Likes Clay and Jackson's boldness.

The reader, now admitted behind the scenes, can not fail to recognize the wonderful accuracy of Mr. Brownson's views as to the inevitable effect which the return to power of Mr. Van Buren and his followers must have had. Mr. Polk's election is but the least of two evils, but it is the least.

"Considerate men, who stood by Mr. Van Buren, and made no inconsiderable sacrifices to sustain him, felt that all was not lost; nay, that the gain might, possibly, in the long run, overbalance the loss. Mr. Van Buren, they felt, was out of the way, and this, in itself, was no trifling gain. Hope sprang up afresh, and, in the buoyancy of their hearts, they were disposed to treat him with all tenderness, to tread lightly on his faults, to forget the injuries he inflicted on the Republican cause, and to magnify, as much as possible, his virtues and public services. . . . But the re-appearance of Mr. Van Buren on the stage changes the whole aspect of affairs. He comes not alone, but as the chief of a band, which the country had devoutly hoped was dispersed, never to be collected again. He comes as the representative of the same old corrupt and corrupting system of party tactics, followed by the same swarm of greedy spoilsmen, with their appetite for plunder sharpened by the few years' abstinence they have been forced, through the remains of the original virtue and patriotism of the country, to practise. Gratify his wishes, restore him to the place he is personally soliciting, and we lose all that was good in the defeat of the Republican party in 1840, and retain only the evil; we restore what, with an almost unheard of effort, the country had thrown off, and place the Republican party in the condition in which it must be defeated again, or the country irretrievably ruined."

Collector Swartwout to Collector Hoyt.

Washington, 14 March, 1829.

My dear Jessika—Your very beautiful and *intire* interesting letter of the 8th was received in due course of law. I hold to your doctrine fully, that NO D—D RASCAL WHO MADE USE OF HIS OFFICE OR ITS PROFITS for the purpose of keeping Mr. Adams in, and Gen. Jackson out of power, is entitled to the least lenity or mercy, save that of hanging. So we think both alike on that head.

Whether, or not, I shall get anything in the general scramble for plunder, re-

mains to be proven; but I rather *guess* I shall. What it will be is not yet so certain; perhaps Keeper of the Bergen light house.

I rather think Massa Pomp stands a smart chance of going somewhere, perhaps to the place you have named or *to the devil*.

Your man, if you want a place, is Col. Hamilton. He being now the second officer in the government of the Union, and in all probability, our next President. Make your suit to him, then, and you will get what you want. I know Mr. Ingham slightly, and would recommend you to PUSH LIKE A DEVIL, if you expect any thing from that quarter. I can do you no good in any quarter of the world, having mighty little influence beyond Hoboken. The great goers are the new men; the old troopers being all spavined and ringboned from previous hard travel. I've got the bots, the fet-lock, hip-joint, gravel, halt and founders; and I assure you if I can only keep my own legs, I shall do well; but I'm darned if I can carry any weight with me. When I left home, I thought my nag sound and strong, but the beast is rather broken down here. I'll tell you more about it when I see you in New York.

In seriousness, my dear Sir, your support must come from Mr. Van Beuren and Mr. Col. Hamilton; I could not help you any more than your clerk; if I had the ability, rest assured I would do it without prompting.

Tell Robert Sands that I am offended with him; he promised to write to me and Mr. H. on business, and he has not done it. My best respects to him. I shall be home in two or three days. Till when, do all you can to improve your fortunes, and believe sincerely, Yours,  
SAM. SWARTWOUT.

*Mr. Jesse Hoyt to Hon. Martin Van Buren.*

Saturday, 11 o'clock, A. M., March 21, 1829.

DEAR SIR,—I am under the necessity of leaving this evening so as to be in Albany Monday morning at the opening of the Court of Chancery, and I presume I shall not be able to see you. The man whom I had spoken to as your *valet* has called every day this week to see when you was to be in town, but I have not seen him to-day, but I have left word at my office if he calls to send him to the City Hotel. His name is *Bryan Farrall*. He has good recommendations from Mr. W. B. Astor. He has lived with Mr. Prime, from whom I have learned more particularly his character. He is very capable, sober, honest—his only fault is his bad temper, for which Mr. Prime discharged him—but a man who would not suit Mr. Prime in this particular, would never have occasion to exhibit that failing to you, but of this you are to judge. As a general rule it is an objection to a servant. He is married, but would leave his family here. This is all I have to say on domestic concerns, and what else I have to say is not upon subjects of less importance, but which you may (and, as the world goes, perhaps justly,) consider as partaking a little of selfishness—but, as Mr. Richie said the other day in a letter to Mr. Noah, "Mr. Van Beuren must tell the truth to General Jackson." So I ought to tell the truth to you, and I will do so, at the hazard of forfeiting your confidence and good opinion; for, if I have it now I am under serious apprehensions that I cannot retain it long without abandoning all political honesty, consistency, and "*straight forwardness*." I take it for granted that all who do not support the present administration you will not consider your friends, and of course will lose your confidence. I have said from the commencement of the contest that I would not support any administration who would support men in power that had contributed to overthrow the democratic party in this State. I have preached this doctrine too long, and it has taken too a footing here, to be easily got rid of. This is not only the doctrine in theory, but we require it to be reduced to practice by the servants of the people to whom we have temporarily delegated the trust. I speak now the universal sentiments of the democracy of this city, and you may rely upon it no man can be sustained who aids or abets in the disappointment of the just expectations of the people on this subject—and all personal considerations and private friendships must yield to *political justice*. The leading politicians of this city (Mr. Targee and Mr. Bowne excepted) require the removal of Mr. Jonathan Thompson; and Mr. Bowne will put in jeopardy his own situation by attempting to sustain Mr. Thompson. Mr. Peter Stagg and the appraiser every body seems to take for granted will be removed. We have in this State fought off the infamous charges against General

Jackson and yourself and gave the lie to the authors and publishers of them. To continue those in power who contributed to sustaining those charges would but admit the truth of them, and throw back a rebuke upon us for contradicting them. *This rebuke is unjust, and we will not receive it with impunity from an administration which WE THE PEOPLE have created.* Nor can we sanction the doctrine of the administration, or any of its members, buying up its enemies at the expense of its friends. "The blood of the martyrs is the seed of the church," and *that blood which we nobly shed in 1824 in defending our principles and our party is still curdled by the recollection of OUR SUFFERINGS* in that memorable fight, and we will not now permit it to be handed over to the mercy or magnanimity of those who were the cause of its being shed—but we ask that *retributive justice shall be dealt out to those who from that time to this have not sheathed their swords or ceased in their efforts to prostrate us.* In calling upon our friends, to act in this matter, we shall, as we always have done, repudiate the doctrine of neutrality. We shall expect every man to take sides one way or the other, *either for or against removals.* The old maxim of "those not for us are against us," you have so often recognized that its authority cannot be denied. I have one word to say upon a particular case about which I am particularly excited for various reasons—it is the case of Mr. Duer. He was appointed by Mr. Charles King, and his removal or retention is probably left with you, at least so says Mr. Sanford and Mr. Dudley, if I read the letter of the latter correctly. Mr. Bunner, I presume, *has made his bargain with some Southern Interest for his retention.* I judge so from various circumstances, one of which is, that Mr. Samuel L. Gouverneur offered a bet of \$100 day before yesterday that he would not be removed. He has his advices daily from Mr. Calhoun or some of his friends, I have not the slightest doubt. *The conversation I had with you at Albany satisfied me that you would retain Mr. Duer, if you could find a satisfactory apology.* Since which I have heard from Mr. Duer's friends that you would support him, and from yours that you would remain neutral. When I left Albany I was not a candidate, and I became so, as I wrote Mr. Ingham, by the advice of my political friends, who could insist upon Mr. D.'s removal. I told Mr. Bowne that I would not take the office of District Attorney for this city if I could get it, till Mr. Duer was removed, and now repeat that I will hold no office from any political party that will keep Mr. Duer in his present station. The very idea that you would by thought or deed contribute to such a result has given me more awful feelings than I experienced when I held a conversation with you in your room over Crittenden's dining room, in the evening of the day of the choice of the Electors in 1824, when our very senses were stunned by the shouts of Mr. Duer and his friends over their champagne in the room below. What you told me in that conversation I well recollect, and I thought you were serious and would not, under any circumstances, forget them at least for six years, the ordinary statute limitation for *parol promises*: but if the statute had attached the promises and the consideration have been received by Mr. Duer's connection with Judge Thompson, Anti-Masonry, and God knows what, last fall; and, if I recollect right, Mr. D. was to be one of the body guard to give you an escort to Kinderhook the Friday after the last November election. I do not remind you of these things to excite your prejudices, but as evidence of overt acts against the democracy of the State. To retain Mr. Duer would be to disappoint friends and enemies, for it is considered by all upon general principles that he is to be removed, and if he is retained you get no credit for it even from them. They will attribute it to your fears, and your party friends will charge you with bargaining to buy up your enemies at the expense of the party who have labored to sustain you. There is a charm attending bold measures extremely fascinating—it has given to General Jackson all his glory, and it will give to Mr. Clay hereafter power and strength, and the speech he made at the Washington dinner is admired for its impudence\* and the manly spirit it breathes.

In regard to the applicants for Mr. Duer's place, I have nothing to say, further than that it is not just to import a man from the country—by this I mean Mr. Bunner, who is not at heart with us, as you plainly discovered on your visit two years ago to Oswego—besides many other objections that could be raised, it would amount to a reappointment of Mr. Duer. I have done nothing since I wrote to you, in regard to myself. Many people have offered to interfere in my behalf but I have

\* I think he intended to say 'independence.'

delayed taking any measures till I had seen you. My first and principal object is the removal of Mr. D., and when that is done I am willing to leave my claims to the justice and *not to the policy* of the appointing power. If Mr. D. is not removed by the time I return from Albany, I shall visit Washington to hand, in person to every member of the Cabinet "*The Life and Adventures of John Duer*"—for as long as God spares my life I shall not spare my exertions to get him out of office, as well as all those who have betrayed their friends, their party, and their principles. In doing this, however, I will not, *as he and his friends have done*, violate the sanctity of private friendship and private confidence, but the means I shall resort to will be free from concealment, but shall be open and manly, and upon the same principles that has actuated me in opposing him during the late contest. I shall therefore, if driven to go to Washington to prefer my complaints shall go, not as a candidate myself, for I should not then be listened to with as much consideration as I otherwise should, because men in power are not prone to look upon office seekers in so favorable a light.

I have written this in the hurry of departure, and subject to the interruptions of office business. I have not time to read it over and prune it of any doubtful expressions, if any such there be. I therefore send it, subject to any explanations that may be proper to convey my true meaning.

So far as I have taken a general or special view of the subject spoken of I am borne out by a vast majority of your political friends in the city, all of whom feel this to be a critical point in your political fate. The *theory* of your address to the Committee of the Legislature we all admire—the practice under it, if conformable to the theory, is all that we require.

In great haste, very truly, your friend,  
Hon'ble M. Van Buren, Wash'n.

J. HOYT.

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#### CHAPTER XIV.

*Secretary Van Buren's reply—Hoyt charged with rudeness. Who had the President's confidence. Hoyt's rejoinder—he had no inherent love of office—was no mercenary politician—had been educated by the Secretary. Curious story of N. Y. office seeking. Jesse's qualities. Sec'y Ingham on Place hunters. Cambreleng's efforts on behalf of Coddington. The Whigs pitied. V. B.'s young tribe.*

Secretary Van Buren, Washington, to Jesse Hoyt, Esq., New York. (Private.)  
Free—M. Van Buren.

Dear Sir—I never expected to see the day when I should be constrained, as I now am, to address you in the language of complaint. Nothing but my strong conviction of the extent and sincerity of your friendship could sustain me in resisting the belief that you have a settled purpose to quarrel with me. Here I am engaged in the most intricate and important affairs, which are new to me, and upon the successful conduct of which my reputation as well as the interests of the country depend, and which keep me occupied from early in the morning, until late at night, and can you think it kind or just to harass me under such circumstances with letters, which no man of common sensibility can read without pain? Your letter to me at New York contained many truths, for which I was thankful, and reflections which I thought just, but the whole were expressed in terms so harsh, not to say rude, as to distress me exceedingly. I have scarcely recovered from the effect of so great an error in judgement, to say nothing else, when I am favored with another epistle from you, still transcending its predecessor in its most objectionable features. I must be plain with you. I have all my life (at least since I have known you), cherished the kindest solicitude for your welfare, and have manifested at least my good will towards you, and should be extremely sorry to have occasion to change those feelings, but it is due to us both that I should say, that the terms upon which you have seen fit to place our intercourse are as inadmissible. It grieves me exceedingly, more than you imagine, to be obliged to say so. When I was favored with your epistle in New York, I had just returned from an interview with Mr. Bowne, in which I had made your immediate appointment as District Attorney, a point that could be no longer delayed. I have since had an increased desire to see it done, have taken steps to effect it, and with the mail that brings your accusatory

letter, I have information that it shall be done ; but that you are hesitating whether you will accept it or not. *Let me advise you without giving my reason why, to do so.*

The story you tell [*the word illegible,*] as coming from Mr. Hills (a man who if I know him is without the slightest consideration in society) about the President's great confidence in Mr. Berrien, and little in me, is the veriest stuff that could be conceived. The repetition of such idle gossip constrains me to say, what I am almost ashamed to do, that I have found the President affectionate, confidential, and kind to the last degree ; and that I am entirely satisfied that there is no degree of good feeling or confidence which he does not entertain for me. He has, however, his own wishes and favorite views upon points which it is not my province to attempt controul. Upon every matter he wishes to have the truth and respects it ; and will in the end satisfy all of the purity of his views and intentions. I have not time to add another word. Your friend and humble servant in extreme haste,

Washington, April 13, 1829.

M. V. BUREN.

*Mr. Jesse Hoyt to Mr. Secretary Van Buren, at Washington.*

NEW YORK, April 24, 1829.

DEAR SIR,—I received your letter of the 13, on Monday morning last at Albany, and sufficient time has elapsed I think to enable me to answer it without indulging in those feelings its perusal naturally gave rise to. I have not now and at no time have I had any "*settled purpose to quarrel with you,*" for I have too often quarreled for you, to be at this time willing to quarrel with you. It would be *extremely humiliating* to me to be obliged to admit, that in all my intercourse with you I had not sufficient sagacity to understand your character ; and it would be no less mortifying to have cause to unsay all I have said for the last 12 years, calculated to *advance your reputation* as a man, and your INTEGRITY as a politician. When I first came to this city to live, your democratic adherents were not numerous—and without any vanity I may say that my exertions tended to increase the number—and until I have been found guilty of some overt act in derogation of my former conduct I question with great respect your right to make the insinuation your letter seems to convey.

As I am not favored with a bill of particulars of my "indiscretions" "error of judgment," &c. &c., I am deprived of the power of explanation, but if the plain truth, spoken in a plain way, renders "an intercourse inadmissible," then am I content to be cut off from the world and the friends I have hitherto been ardently attached to.

*Every idea conveyed in the letter you received from me while here* WERE conveyed more in reference to your interest than my own, and the language in which they were clothed I supposed would have been sufficiently softened by the reservation I made at the close of the letter—at least to such an extent as would have protected me from the charge "of rudeness," which always detracts from the gentlemanly deportment I am most anxious to preserve. The political sentiment of that letter I still adhere to. My political sentiments I inherited from a "*long line of ancestors*" (such as they were,) MY POLITICAL EDUCATION I AM MAINLY INDEBTED TO YOU FOR, and the principles I imbibed from birth as well as education cannot be eradicated at this time of life. I HAVE NOT MADE POLITICS A MATTER OF DOLLARS AND CENTS, NOR HAVE I ADHERED TO PARTY WITH THE HOPE OF GAIN, but I have labored in them under your immediate auspices for 12 years with the *leading motive to serve you*, but against the advice of many powerful business friends. During this time you have met with occasional reverses, and I believe my fidelity and faithfulness, and even some degree of efficiency to you, were never questioned by any one—nor am I aware of having evinced any disposition to shrink from the consequences of adversity which attended you. If perchance I should now fail to pour out heartless adulation less copiously than sycophants and *integers* who have the good fortune to surround your person at this time, it may be a just ground "for letting me down the wind a prey to fortune." I have no ambition to be in the train of great men, if I am to sacrifice my independence or to be prohibited in expressing an honest opinion. I frankly admit I wrote the letter referred to under some excitement. I was assured by Mr. Duer's friends that you had promised to sustain him. My conversation with you at Albany led me to the same conclusion. I had that morning received informa-

tion from Albany that you had spoken to Governor Throop, at the request and in behalf of Judge Duer, for Vice-Chancellor. If this was not enough to justify plain dealing from one who had given some proofs of devotion to you, and who felt the great interest you had at stake, I am at a loss to know what would have been. *I know the sense of your partizans in relation to these men*, and I know a more indiscreet measure you could not have adopted, if you desired to retain your power and influence with the party to which you have acknowledged obligations.

As I wrote that letter my confidential clerk copied the sheets (I kept a copy without reading over the original or even the copy before I got to Albany) for the purpose of enabling me to shew it to Mr. Butler. I did so, and he remarked that it was all right, and he was glad I wrote it. He said the ideas were very strongly expressed but the reservation I refer to rendered that harmless in point of language, and I must therefore confess I was surprised to find that the character of the language I used had found its way to your "Sensibility," or that you could for one moment consider me guilty of "rudeness." As to the other letter, I am equally surprised at the exception. If these were considered exceptionable, then I fear the one I wrote covering one to Mr. Hamilton would be deemed still more so. I had reason to be dissatisfied with Mr. Hamilton for having misled me in his letter early in March. I may have written the last letter under the influence of that feeling. When I tell you, however, that I meant nothing inconsistent with my former relation to you, and that *I shall not hereafter obtrude either my opinion or advice upon you in relation to any subject*, I should hope I had made satisfactory atonement. I am perfectly aware of the responsibility of your situation, and God knows there is no man living that would be more gratified than I should to have you acquit yourself with reputation. I am very much obliged to you for your interference with Mr. Bowne. I shall not get that place, and I can tell you how I was kept out of it. Mr. Maxwell, when he got alarmed, goes to Judge Hoffman and tells him he was to be removed, and that his son, Ogden, had better be a candidate for the office. Mr. Bowne tells Riker, confidentially and he tells an Alderman, that you would be pleased to see me put there. This comes to the ear of Hoffman, and he goes to all the Clintonian Aldermen, . . . of the 4th and 8th wards,—&c. &c., and insinuates this idea to them, and with all the adroitness peculiar to that family, rakes up old prejudices, enlists Duer, who is attached to young Hoffman, with all the coodies, high minded, and Clintonians, and I was defeated. Duer was in the thickest of this. No Clintonian in the Legislature voted for Butler, save one or two; not one of the corporation voted for me. *We had become obnoxious for our services in the cause of another leader.* There is not old staunch democracy enough in the Common Council to elect me. It is not then surprising that my inveteracy to that concern, coodies, high minded and all, should be as strong as it is. Mr. Duer is now playing the same game that Maxwell played on Wednesday (James Campbell authorised me to say so)—he went to Judge Hoffman and told him that he had such information as satisfied him that he would be removed, and that he did not know why his son Ogden should not be appointed. Mr. Duer had then been informed that Mr. Hamilton had the option to take the office. He told me on Tuesday that Mr. Hamilton could not take it, for on that subject he was "Committed on paper." Mr. Bunner told me the same thing on Monday, at Albany. After this Mr. Duer goes to Judge Hoffman, and, with what motive it is not difficult to divine.

I did state to Mr. Bowne that, as things now stood, I could not Except the office of Attorney for this County, nor can I if it could be given me, after what I write you, with any degree of honor. I informed the gentlemen who were instrumental in getting up a caucus here on Saturday and Wednesday last, (which, by the bye, were perfect abortions,) that I had no expectations of Mr. Duer's office, for I knew from the beginning *if you were not for me it was idle to say anything on the subject*; and I need not say that I have not been promised any aid from you, though I thought then and now think I had strong claims on you as a party man and a personal friend—and such I undertake to say is the universal sentiment of every body here, of all parties who have witnessed my exertions to sustain you against the infamous attacks of your enemies. More than 20 leading men here tendered their names, and among the rest Mr. J. C. Hamilton; your silence induced me to decline the proffer. **I HAVE NO INHERENT LOVE OF OFFICE, and I**

have not therefore studied discretion or weighed pronouns and adverbs in my letters to "Constitutional advisers" and advisers not constitutional at Washington. I know THE EXACT EXTENT of my pretensions, my services, claims, CAPACITY, and POWER—they are small and inconsiderable—But when all or any of them—shall not be properly respected by those whom I think ought to respect them, I should be unwilling to submit in silence without being alarmed at any fate that might await me. *Political fidelity, untiring industry and perseverance* will one day or other find their value in the political market. *These qualities I claim to possess*, and which I deem important ingredients in forming and which nearly make up a capital, on which one can commence business on his own account. It would grieve me as much and infinitely more than it possibly could you to be under the necessity of differing so far as to lead to a severance of that friendship which I know has existed. You have the power to make me District Attorney, but I could not sufficiently abhor myself if I was "to quarrel with you" for omitting to do it. Yet if Mr. Duer is not removed or any but a democrat is appointed I should do violence to the principles you have taught me not to be dissatisfied; and I do not think your nature is so much changed as that you would require me to withhold the expression of that dissatisfaction. Lorenzo tells me I had better abandon all ideas of political preferment till the coddies and high minded have become exterminated. Perhaps he is right. I have said all I have to say, and perhaps more than I should have said, but the ground upon which your letter places us seemed to require equal candor on my part. I will not attempt to disguise the fact that my feelings were such toward you that I fancied I was entitled to know the principles upon which you were to dispense your political power, and to be informed frankly whether it was expedient to ask for the place of an obnoxious incumbent. The confidence I should have reposed in your friendly advice, which I thought myself entitled to, but which was withheld, would have satisfied me, whatever it might have been. Your total silence on this subject, with the apprehension attending it, led to the anxiety to be informed whether your friends and enemies were to be put in, hotch-potch, without any more adhesive qualities than oil and water, and which could never be reduced to a reasonable consistence. It was not inconsistent with my regard for you to point to the danger of such a course; whether I have by so doing forfeited your confidence is a matter somewhat lessened in importance to me, from a conviction of the purity of my motives. Yet, as I ever have been, Your friend,

J. HOYT.

Hon. S. D. Ingham, Secretary Treasury, to Jesse Hoyt, Esq., N. Y.—Franked,  
Washington, April 14.

Washington, 14 April, 1829.

Dear Sir—Your favor is duly received, but you must permit me to say in great soberness, that an excitement without reason cannot be founded in sober judgment, and ought never to be made the cause of action on the part of an administration, who are bound to consult, in great soberness, the great interests of the country, and not the feverish feeling even of the best of friends, for which no reason can be given.

If there were an enemy menacing your good city with desolation, that would be a good reason for excitement, or if it was known that your Collector was embezzling the public money, or corrupting the Community by official abuses, there would be good excuse; but really for so many wise men as we claim among our friends in New York to suffer themselves to be put into hysteric spasms because of the continuance of Mr. Thompson to collect the duties a few days or weeks longer, or shorter, is really matter of surprise—and if it indicates any thing for consideration here, it is, that it would be better to let the Fever evaporate before we throw in any more stimulants [or stimulous]. I am sure that sedatives are better adapted to such a condition than any other prescription—but to be more serious, my Dear sir, let me tell you that there is a vast mass of selfish interest at work abroad, to excite jealousies among us here, and produce distraction, by which some may ride into office on one hobby, some on another, while we are endeavoring to stand unmoved by those ruffling passions, and by harmonious action, to keep the ship steady on her course—and I should hope there was soberness enough among you to resist the impotence of expectants, until their vain hopes shall yield to reason and common sense.

There is, moreover, you must know an immense mass of severe and constant labor to be performed by the officers of the government, and much more severe to those who come newly into office. These duties *cannot* be postponed, and I do assure you that *I am compelled daily to file away long lists of recommendations, &c. without reading them, although I work 18 hours of the 24, with all my diligence.*

The appointments *can* be postponed—other matters *cannot*—and it was one of the prominent errors of the late administration, that they suffered many important public interests to be neglected, while they were cruising about to secure or buy up partizans.

This we must not do, and hence it is only at intervals, "few and far between," that we can find a moment's time to consider appointments.

Then let us come to New York—

Our friends there have settled down on about two of the appointments, but you are wholly unsettled as to the Collectorship; and I believe as to D. A.,\* and yet such impatience!

Why, Sir, let me tell you, that one of our best, and I had almost said, ablest friends in Baltimore, left here on the 6th March, leaving his imprecation behind him, because he was not appointed to an office, not then vacant, and because we had not removed all the Administration Inspectors, not one of whom could have been known here, and of whom they have not yet accurately informed me.

He has since come to his senses—the Inspectors are chiefly removed, and matters are getting right there.

Boston, too, has been in a fever, where our friends were so strong, that they have divided into two parties.

Providence, too, has had a ferment, where we had 72 votes, all told.

There has also been the same at Little Egg Harbour, where we had five votes!

These matters proceed from the morbid parts of our system—but nothing can sink deep which is not founded in something rational and substantial.

Are you not wearied with my long letter? I am.

It is the most lengthy epistle I have written, since I was dubbed Secretary—and despair of getting time to write such another, for this year at least.

Yours truly,

S. D. INGHAM.

*Mr. Cambreleng to Mr. Jesse Hoyt.*

*Private.*

WASHINGTON, 10th Jan'y, 1833.

DEAR H.—I wish you to show the enclosed letter to Mr. Jackson. Mr. McLane, besides which that letter contains (which is a true statement) had other reasons which *cannot be explained on paper.* There was no deception—no want of influence about it—the question rested on other grounds altogether.

Say to our friend C. [Coddington] in answer to his enquiries, that I had this morning a frank and full conversation with Mr. Barry, who tells me that he never authorized Mr. Smith to believe that he would appoint him, and that he had no idea of doing any such thing. Mr. Smith's going on to New York has done him injury—he *will not get the office.* It is well understood by the President, Mr. Barry, and by all who have any influence here, that when a change takes place Mr. C. will undoubtedly be the man. Although I cannot and will not be instrumental in the removal of Mr. Gouverneur, I will take care that our republican friends shall not be disappointed for the last time. *When a change takes place, Mr. Coddington will be the choice of the President and the P. M. G.*

Sincerely yours,

C. C. CAMBRELENG.

 Your letter is destroyed—do the like with this—Gov. Throop and Mr. Craig were nominated to-day.

Jesse Hoyt, Esq., New York.

Free—M. Van Buren.

MY DEAR SIR,—I send you with the greatest pleasure the letter you desire for our friend Phelps. I have been here for a few days where the Enemy is using very desperate efforts. I almost begin to pity the poor Whigs.

\* U. S. District Attorney, So. Dis. N. Y.



Their next cognomen will be *Democrats*—remember what I say. I think you ought at some of your meetings, to call upon them, as our friends have done in Philadelphia, to give notice by what name they mean to pass next year.

In haste, very truly yours,

M. VAN BUREN.

Kinderhook, Oct. 21, 1834.

Extract of a letter—Edward Livingston to Jesse Hoyt—dated Albany, Feb. 24, 1821.—“Peter R. told me that if the collisions which have taken place since had happened before the New York appointments, that he would be d——d if I should not have had my appointment. Sutherland did not want any thing for himself, but went away quite in a huff. Van Buren's young tribe, that he has been training for the last 18 months, thought they could rule the State, but he is too cunning for them. The party is in an unsettled state; we want a firm leader. We must puff up some of our clan into a great man. Bowne is pressing the bill to divide the Mayoralty as fast as possible, to enable him to give us a mayor, &c. But who they will be he keeps to himself.”

## CHAPTER XV.

*Eighteen Letters. John Van Buren (Attorney General) to Jesse Hoyt. Speculation, bets, wagers, gambling in the Stocks, fraudulent sales, profane language, drawing out the deposits. “Buy my Stock.” Buying on Marcy's Message. C. W. Lawrence to “run like the Cholera.” Prosper M. Wetmore. Bets on Governor. P. C. P. C. Beardsley. A fortune lost. Bets on Marcy and Lucas. Is Leggett crazy? J. V. B. a lawyer, and ready to do “dirty work.” Hoyt and Cutting borrow. J. V. B. gets half the profits. Bets safe on 15,000. A father and son's acknowledgments. Boston and Providence. Mohawk. Harlaem, &c.*

The office of Attorney General places the distinguished individual who fills it at the head of the Bar of the city and State of New York. It is an office of high honor, great importance, and large emolument. The Attorney General is the chief public prosecutor. His opinion is required by the Governor, by the Legislature, and by public functionaries throughout the State in cases of grave emergency and legal embarrassment. With him rests the conducting of civil causes on behalf of the people. The validity of great public contracts much depends on the clearness with which they are drawn up. Here again, and in their enforcement, too, he is a conspicuous officer. Ex officio, he is a Trustee of Union College, and other educational institutions, and ought to be a man of pure character, unsullied fame, and great legal learning—a pattern to lawyers—and a terror to wrong-doers.

The predecessor of Mr. John Van Buren was the too notorious General George P. Barker, the parent, director, prosecuting-attorney, and whipper-in of that curious corporation, the City Bank of Buffalo, concerning which, after it broke down, Governor Marcy reported that the redemption of its notes by the State Treasury had exceeded \$300,000; and that “it is supposed that a still larger amount of the fraudulent issues of that bank than is already redeemed, is lurking yet in recesses only known to its corrupt managers.” Messrs. Flagg, Marcy, Dix, O'Sullivan, Varian, Corning, Faulkner, Davezac, Hoffman, Chatfield, M. Van Buren, and the wire-pullers of the party, found among the learned men of New York but one man fit to represent their interests in the station of Attorney General, and that was the chief manager of the guilty corporation whose fraudulent promises our country was then redeeming! They did not choose Jesse Hoyt next—nor Benjamin Rathbun—their suffrages were favorable to the author of the eighteen letters in this chapter, who, like Lorenzo and Jesse Hoyt and pious Mr. Butler, is a true pupil of M. Van Buren.

Perhaps it is all for the best. G. P. Barker and J. Van Buren may have been lifted up into this high office, over the oldest, wisest, purest and most respected members of the profession, as a means of exhibiting in bolder relief the workings of the vile machinery invented by Burr and improved by his law-student, by which disgrace is brought on the good cause of democracy, and the morals and manners

of the country corrupted. That the Convention of 1846 may unite to provide a suitable remedy will be the fervent prayer of every American who glows and gladdens at the recollection of the deeds of his fathers in the glorious days when

"Freeborn millions rose and swore  
Their birthrights to maintain;  
Resolved no foreign yoke to bear,  
To drag no tyrant's chain."

Dr. Charles Cook, a Senator of Virginia, when he withdrew in 1836 from the support of the national administration, objected to Messrs. Calhoun and Webster "on account of some discrepancy between their political principles" and his own. But, said he,

"I object to Mr. Van Buren because of his utter destitution of all political principle. He has been for and against the Bank, Internal Improvements, and a Protective Tariff, just as the ope or the other course seemed for the moment best calculated to promote his personal views. He is the author of that political machinery, which has robbed the people of his native State of all free agency in the management of their public affairs, and reduced them to the degraded condition of passive tools in the hands of designing, intriguing, office-hunting demagogues. He is the head of that church, whose high priests have proclaimed to the world, as the fundamental doctrine of their creed, that the 'spoils of victory,' (*that is, the people's offices,*) are the aim, as they are the just reward of the victors! From such a code of political misrule, and from its authors and abettors, may God, in his mercy, ever deliver my country!"

May his prayer soon be heard!

Let us suppose a profligate, fraudulent, bank president or director—such a character, for instance, as some of the 'Life and Fire,' 'U. S. Lombard,' or other phantom corporations gave up to indictment or the penitentiary in the memorable 1826—to be arraigned at the bar of justice, Mr. John Van Buren acting as Attorney General. The guilty creature might read to the court Mr. V. B.'s 18 letters, and ask the judge "Why is he *there* and *me here*?—Is this a land of equal laws?—Can a profane, betting profligate, who took advantage of his knowledge of the forth coming clap-trap, six-million loan message of Governor Marcy, whom his father had 'made a judge' to keep from utter ruin, and which message was to make the candidate for Mayor of New York, 'run like the cholera,' and affect the price of stocks—can he, who used that message to enrich himself, thro' the agency of his indigent, unprincipled associate—can he deserve honors, while to me is awarded a cell in the penitentiary? Look at his language! Are such terms as 'Poor bitches'—'God d—n you, Jesse'—'be d—d to you'—'d—d stock'—'as sure as God'—'d—d lies,' calmly and deliberately selected, too—are they passports to office; from a legislature, who hire a holy man of God to come and invoke heaven's blessing on their deliberations every morning? I have been in error, 'tis true, as a director of a bank—but was not Attorney General M. Van Buren, a director of the bank of Hudson? Every body knows where it went to. Was not Attorney General B. F. Butler, President, Cashier, Director and Attorney for the Washington and Warten? Every body knows about it. Was not Attorney General J. Van Buren director and prosecuting attorney for the Farmers and Mechanics Bank in Albany, when it had borrowed millions of the public revenue and shut its vaults, speculating with its specie and deceiving its creditors? Can John Van Buren turn round to a 'god-fearing' jury of professing christians, as the chief minister of the law in his native State, and 'cast the first stone' at his ancient comrade in sin? Is it possible, that, at *his* bidding, you will stamp *guilt* upon my forehead, when I only followed the example of Attorney General Barker, his 'illustrious predecessor,' and when the records of our courts show, that 'they all do it!'"

Persons of the name of Livingston and Tracy got hold, secretly and fraudulently, of \$100,000 of the funds of the Merchants' Bank of New York, through the agency of the first teller, John W. Thorne. All three went to jail, Governor Clinton laid the matter before the Senate, and they referred it—March, 1819—to the present Attorney General's father, Mr. Van Buren. Should a similar case occur in 1846 would it be right to refer it to the author of the eighteen letters? In 1826, Colonel Prosper M. Wetmore was indicted by the Grand Jury of New York for fraud, and afterwards used by Maxwell as States' evidence against Hyatt, who went to the penitentiary, and against Barker and others then there convicted. The U. S. Lombard, of which Hyatt was president, and Wetmore (the active business man) vice president, had got a charter—its officers had filed their oath that its

capital (hundreds of thousands of dollars) was paid up, but they well knew that not over five cents in the dollar had been so paid, if as much—they pretended to be in a flourishing condition when on the eve of bankruptcy, and divided profits though they had realized none. When the bubble burst the public was cheated out of more than \$600,000. Are not laws for the public benefit? What a farce it would be to entrust a case like that to a Butler or a Van Buren! By their political machinery, General Wetmore appeared in the legislature of New York, 1836, to vote for Barker's Buffalo Bank, and for other banks by which our honest, hard working people have been defrauded out of millions of dollars. General Prosper, by the like machinery, is now "Navy Agent at New York," one of the most lucrative and important offices in the Union!

[No. 1.] *John Van Buren to Jesse Hoyt, at New York.*

Why God D—n you, Jesse! buy my stock and draw upon me at sight.

You must be *poor Nitches* down there, if you cannot raise this two penny sum.

If the stock has gone up, *let it go to H—ll.*

The Bank will come up against the Safety Fund Banks, and depress stocks—the Governor's measure will eventually relieve the country. Yours truly,

J. VAN BUREN.

Albany, March 25th, 1834.

[No. 2.] Address—Jesse Hoyt, Esq., Counsellor at Law, New York. Paid 12½—P'm'k "Albany, March 22."

MY DEAR JESSE—Please let Nevins and Townsend buy me 100 shares of Moh. and Hud. R. R. for cash at 96, and Bost. and Prov. 100 shares at 92½ cash; drawing on me at 3 days sight for the amount.

If better terms can be had by taking the stocks two weeks hence (buying on time) I should like it better. I fear stocks will rise after Monday, and therefore I want these purchases made Monday, but leave it open after.

*Let the beggars deal honestly by me for I lose a deal of money anyhow.*

*There will be something done here Monday that will charm you Yorkers.*

*Lawrence will run like the Cholera.*

Please ask Bucknor to hand you the amount of differences at which my fifty shares Manhattan stock were settled, and send it to me.

Yours very truly, and much better.

J. VAN BUREN.

Albany, March 22d, 1834.

[No. 3.] Per mail, post mark, "Albany—Jesse Hoyt, Esq., Counsellor at Law, New York."

MY DEAR JESSE—The purchase by N. and T. of 100 Mohawk at 96, is very good. I understand it to be payable in all next week. I shall be in N. Y. next Monday (31st inst.) and shall then arrange it.

Please countermand the order for Boston and Providence; I should prefer not to buy it; and if it is purchased and can be resold without loss, let it be done—any how, as Lord Grey said, I shall stand by my 'order.' Yours very truly,

J. VAN BUREN.

Albany, March 28th, 1834.

[No. 4.] MY DEAR JESSE,—Nevins and Townsend write me that they have bought my Utica Stock. Please get the money for the enclosed, and pay them. *I do not wish to correspond WITH THEM directly.*

Let the certificate be made out in my name, and send it to me by some *private* conveyance, or keep it till I come down, which will be shortly.

Yours very truly,

J. VAN BUREN.

Albany, April 17th, 1834.

[No. 5.] MY DEAR JESSE,—With the slender assistance of the above [a draft for \$780] fortified by the enclosed [a check for \$31 10], you will, I think, be able, (if you will do me the favor,) to satisfy the following demands—

Nevins & Townsend \$391.46—Chester Jennings \$250—"Young" Wilson \$100—Minthorne Tompkins \$70.

If it falls short, parcel it out to the Cormorants, in such bits as you may deem most meet to subserve their several necessities.

I intend to walk into the Mohawk soon.

J. VAN BUREN.

P. S. I tho't my stock was bought at 109, was it not? The receipt says 109½.

Albany, June 13th, 1834.

Per mail, June 14.

[No. 6.] MY DEAR JESSE,—For G—d's sake send me my over coat—my underclothes are all worn out, and I am a beggar. Let it be taken to Wheeler's, who will send it to me.

Can you get any bets on Governor, even? We shall lick the Dogs so in this State that the 'Great West' will hear the howling.

Yours truly,

J. VAN BUREN.

Albany, Aug't 29th, 1834.

N. B. Our brethren in Oneida are all 'with one accord united'—look out for a tall majority in O. (1) 'Perish C. P. C. Beardsley' (2) will be re-elected by 1500 majority.

[No. 7.] MY DEAR JESSE,—Please let Nevins & Townsend buy me 100 shares of Patterson R. R. Stock del'v'r in 60 ds, as cheap as possible. I must have a *shy* at the boys.

Keep the purchased note till I see you.

I shall go west this afternoon, and return in 3 or 4 weeks. If anything turns up in my absence to depress stocks rapidly and seriously, which is hardly possible, sell out and save me from loss.

Yours truly,

J. VAN BUREN.

Sept. 5, 1834.

Jesse Hoyt, Esq., Counsellor, &c., New York.

Endorsed "charge J. V. B. Paid 12½."

[No. 8.] P'm'k—"Avon, N. Y., Sept. 28"—franked by "M. Van Buren."

MY DEAR JESSE,—I make use of a frank *the old man* left with me, to let you know that *I am about as unhappy a d—l as you would wish to see—from the fear that you have purchased me some Patterson R. R. Stock, on which I am to lose a large sum of money.*

I see that on Wednesday it left off at 81½, which is 8 or 9 per cent lower than it was when I authorized you to buy for me.

I know nothing of the d—d stock, except that Bremner was dealing in it, and it had been rising for a month, and I hardly tho't my buying would knock it down forthwith.

Perhaps it will go still lower, and may be worth nothing for all I know. If so, and if I own any, sell if you think best, and let me lose the present difference.

If I get out of this job, you may consider me "discharged cured" as the Cholera reports read.

Yours ever truly,

J. VAN BUREN.

Avon Springs, Sept. 27, Saturday, [1834.]

Alby. p. m'k—Oct. 7. Paid 25 cts. Addressed to Mr. Hoyt, at New York.

[No. 9.] MY DEAR HOYT,—They say 'the blood of the Martyrs is the seed of the Church,' and heaven knows I have been freely tapped in the good cause. THE REM. [removal] OF THE DEP. [deposits] cost me a fortune, and now I don't see but I must lose another hunk of my little earnings.

My impression is that Stocks will go up till Election, and fall immediately after. If the poor *Whigs* could carry a Constable somewhere and get up a Jubilee,

(1) Oneida. (2) "Perish credit, Perish commerce Beardsley."

stocks would rise. New Jersey *may* go for them, and give them a flip—but Penna. will knock them stiff next week—so will Ohio—and so will N. Y.

If you could get the difference bet on Marcy, I should say 'Sell by all means'—and any how I don't know but you had better sell. Do exactly as you see fit. I shall be down before it falls due probably—meantime I should be most *particularly* obliged to you, *if you can get me an even bet against Marcy to any amount less than FIVE THOUSAND DOLLARS.*

I think I would bet \$100 on each 1000 majority up to 5000.

I would bet \$1500 against \$1000 on an even election.

I consider Marcy's election, by from 7,500 to 15,000 majority, AS SURE AS GOD.

You know best how much the Patterson is worth, and you must do exactly as if it was your own, and I shall be satisfied.

Yours truly,

J. V. B.  
Tuesday.

Make me some bets *if possible.*

P. S. The Whigs may gather pluck after some meetings or some things.

Post mark, Albany—addressed to Mr. Hoyt, at N. Y.

[No. 10.] MY DEAR JESSE—I should think you right about selling the Patterson, if it will not do to hold.

By the looks of Webb's paper, (*altho' it is intended no doubt to operate on New Jersey,*) the opposition gained confidence. *Can you tempt them with A WAGER on 3—4—and 5000 Majorities—\$200 on each—or \$500 on 4000?*

If neither of these can be got tomorrow, BET them \$500 on 5000 majority.

There will be *no betting after tomorrow.*

Save the order for Bost. and Prov. open—the Moh. is all right.

We have nominated a strong ticket, tho' Livingston (Ned) is the Assembly man, contrary to all expectation.

Yours ever truly,

J. VAN BUREN.

Albany, Oct. 12th 1834.

Per mail, post mark, Albany, *paid.*

[No. 11.] Jesse Hoyt, Esq. Counsellor, &c., New York.

Don't be 'uneasy' Jesse—Go ahead. I wrote you by Sunday's boat: but I suppose as there was no mail the letter mis-carried. I think stocks will fall this week—Sell if you think best.

*Can you get BETS on three, four, and five thousand majority for Marcy, two hundred dollars on each?—if not, I will bet five hundred dollars on four thousand—perhaps, if we lose New Jersey, you can get this.*

*If you can't do better, I should like a bet of three hundred dollars on five thousand majority for Marcy—unless we lose N. J.: in that event I will wait to get better terms.*

Yours truly,

J. VAN BUREN.

Albany, Oct. 14, 1834.

P. S.—I WILL BET on five thousand majority for Lucas in Ohio.

[No. 12.] MY DEAR HOYT—You have worked the Patterson Rail Road very well. I am *shocked* at the shares only being \$50, having become reconciled to at least double the loss.

Tell Wilson that I have an impression that he promised to invest \$500 or so, for me, provided I kept out of the 'betting ring,' so as to encourage the enemy to give him a fair chance.

If I am right, and even if I am not, I count upon his *nobility* to spare me \$500 even on Marcy, out of his big investment.

I shall be in New York the last of the month—let me know what W. says.

Yours truly,

J. V. B.

Albany, Oct. 15, 1834.

P. S. I don't care to bet on 5000 majority for Marcy just now: if it is not too late to back out.

[No. 13.] MY DEAR JESSE—Please sell me 100 shares Boston & Providence, deliverable in 60 days, at 107½ or 107¼. I shall be in New York this week. Can you send an order to ——— and Kimball, No. 3 Wall st., to make me *forthwith* a pair of neat winter Boots with heels an inch high; I want them to wear when I shall come to New York, and that will be by Thursday.

Yours truly,

J. VAN BUREN.

Albany, Dec. 7th, 1834.

Per mail and steamboat, "ch. J. V. B."

[No. 14.] [Addressed Jesse Hoyt, Esq., Counsellor, &c., Wall street, New York—care of L. Jenkins, Esq.]

MY DEAR JESSE—Enclosed is your note. If the order to Nevins & Townsend to sell me 100 shares Boston & Providence at 107¼ to ¼ at 60 days and Interest should not, *providentially*, have been countermanded in season, I take it they have effected the sale: if so, let them close it at the present prices, so that I may recuperate a small portion of my losses.

Is Leggett wicked or crazy?

Yours truly,

J. VAN BUREN.

Albany, Dec. 30th, 1834.

P. S. I have formed a partnership in law with Col. McKoun: one of us will attend all the Courts and we shall be **HAPPY TO DO ANY BODY'S 'DIRTY WORK.'**

J. V. B.

[No. 15.] P'm'k Alb'y, Augt. 23, and addressed to J. Hoyt, Wall st., N. Y. Single.

MY DEAR JESSE—On enquiry I find that I can get one of the Banks in this city to deposit, subject to their own order, such sum as may be requisite to make the arrangement of which we spoke, in any Bank in New York, (say the Fulton,) that you may choose: this will answer the purpose provided you can get the Bank selected to loan you the money on your Note.

All our Banks are nearly up to their limit, and I cannot borrow the money.

The Bank here will charge the Bank there 6 per cent. on the Deposit, and you will pay 7 probably.

If this meets your views you will please advise me by return mail.

*If you agree to give me half the profits of the enterprize for making this arrangement, please send me a stipulation to that effect, signed by yourself and Cutting, when you write.*

Your note might be made payable on demand, with an understanding that you should pay it when our Bank calls on the N. Y. Bank for the Deposit, *which will not be till we see fit.*

Yours truly,

J. VAN BUREN.

Albany, Aug't 23rd, 1836.

[No. 16.] Addressed to Jesse Hoyt, Esq., Counsellor at Law, Wall st., N. Y. P'm'k, Alb'y, Nov. 11. Single.

MY DEAR HOYT—I'll do the justice to say, (and so does my father,) that you have stood the d——d lies from Penn'a better than most of our friends in N. Y.

I hope the fright from this dictates the letters to us, saying that all of our tickets besides Register, [I think that's the word,] are in danger: I don't believe we shall lose one.

In this State our majority will range from 15 to 25,000.

*Bets on 15 are perfectly safe.*

For G—d's sake let our friends turn all their attention to New Jersey, and not be caught napping there, as in Connecticut. *My father wishes me to say so to you.*

Yours truly,

J. VAN BUREN.

Albany, Nov. 11th, 1836.

[No. 17.] Albany P'm'k, Dec. 19. Postage double.

MY DEAR HOYT (as some rascal writes to 'Webb')—I enclose you your check, for your comfort—it was deposited in the Bank for collection, and, of course,

is returned to you without inconvenience. As for money, I don't know that I shall be peculiar short (not physically but *pecuniarily*) unless Boston and Providence should go down to a mere anatomy. In that event I fear the ex-Danish Commissioner and myself will be a 'below-par nobile' of sufferers.

Please to let Willard of the City Hotel be apprized that I want two flannel shirts, and as many pairs of drawers, to be had of Tryon for a trifle, *alias* credit.

I am not a 'Councillor' and be d——d to you—and if I were I should spell it with an 'S' in the middle.

Yours 'to serve,'

J. VAN BUREN.

Albany, Dec. 19th, 1833.

P. S. Since the foregoing effusion was poured forth, I have enquired at the Bank, and find your check has been sent to New York. I suppose the easiest way 'to work it' is to enclose you, as I do, my check on this bank for the same amount, payable at the same time.

Jesse Hoyt, Esq., &c. &c. &c.

J. B. V.

[No. 18.] DEAR SIR—Please pay Glover one hundred and fifty dollars and accommodate your recently much abused friend,

J. VAN BUREN.

At your office, Saturday, 2 P. M. (May, 1833.)

Jesse Hoyt, Esq.

## CHAPTER XVI.

*Purity of Elections—Wright, Van Buren, and Marcy, on bets, wagers, stockjobbing, and "privileged associations." Isaac Hill on bets—ditto, Ritchie. John V. Buren and the 6 million loan. Paying the Piper. Mr. Hoyt dunned—summoned to the lobby. "Something Joyful." Hoyt, Cutting and V. Buren's partnership. Buffalo Bank Notes. New Potosi. New Hope, Del. Bridge Co.—Leake, Hoyt, Beers, Marcy and Delafield. Morris Canal Co. C. C. Cambreleng.*

In October, 1840, Messrs. Butler, Hoyt, \* C. W. Lawrence, Morris, Edmonds, Bowne, S. Alley, Stevenson, Varian, and others, exhibited a somewhat unusual anxiety to preserve what they called the purity of elections. Mayors and Recorders visited private dwellings at midnight, as Sheriff's constables, with only this difference, that they acted without law or warrant. The most private and secret papers of our citizens were seized, because "the constitution was in danger,"—the safety of the people being the supreme law, and their object, as they said, to punish treason against the republic, by "unmasking the traitors." If *they* then failed in so laudable a purpose, *we*, by means of this unpretending volume, may now have better success.

Gov'r. Marcy, in 1836, in his annual message, endeavored to impress upon the

\* [Letter—Mr. Hoyt to Hon. C. W. Lawrence.—Marked 'not sent.']

New York, Nov. 21, 1836.

Dear Sir—As the excitement of the election has in a great degree passed away, it is proper that I should pay attention to those incidents in which I am concerned, connected with it; though perhaps I ought to apologize to you for not having done this sooner.

You will recollect that when I was reproached by you for having voted a "split ticket," that I proposed to bet you \$100, that you voted what was generally called "the Pewter Mug Ticket," and that I would take upon myself the burthen of proof to establish that fact.

Your reply was that you "would take the bet, if I took upon myself the burthen of proof, for you never had told any one how you had voted."

I answered that it should be considered a bet—

There are various ways recognized in legal proceedings of making proof and competent proof too in courts of law, and forums of conscience, and which perhaps did not occur to you when you observed you "had never told any one how you had voted." After such a remark, the right more peculiarly belonged to me to select my own tribunal, through which I would make the proof, I volunteered to make. That tribunal is a court of Equity, or in other words a court of conscience.

In England, the country from which we have derived most of our legal forms, certain high dignitaries answer bills in Equity *upon honor* and not *upon oath*. I am perfectly willing to place you on the same footing and I therefore desire you to consider this my bill in Equity, charging that you voted, the ticket referred to, I ask you to answer the charge, upon honor, and whatever the answer may be I shall be perfectly satisfied with.

I enclose you my check for the \$100, to your order, which you will use, if under the circumstances you are entitled to, and if not you will please to return it, with your own for an equal amount.

With gr't respect, your obedient serv't.

J. HOYT.

public mind that stock-jobbing is an infamous practice—and Governor Wright, in January last, in his yearly expose, adverted to the “selfish and corrupting tendencies” of betting upon our elections. The Democratic Review, by O’Sullivan, in Dec. 1829, in its leading article, ascribed to Mr. Butler, proclaimed that “The swindler who uses marked cards in a common gambling-house, does not enjoy greater advantages in the games played there, than do the leading men in the banking interest in the great game in which bank notes are the cards, and all the property in the country the stakes.”

Precisely at the same time, (Dec. 1839,) President Van Buren fell into line, as a reformer of the vices of the age; and in a message, “written for posterity” (by Mr. Butler, as some say,) cautioned Congress and their constituents against those who sought “a monopoly of the currency,” through the agency of favored banks, intending thereby “to produce throughout society a chain of dependence which leads all classes to look to PRIVILEGED ASSOCIATIONS for the means of speculation and extravagance—to nourish, in preference to the manly virtues that gave dignity to human nature, a craving desire for luxurious enjoyment and sudden wealth, which renders those who seek them dependent on those who supply them—to substitute for republican simplicity and economical habits a sickly appetite for effeminate indulgence, and an imitation of that reckless extravagance which impoverished and enslaved the industrious people of foreign lands; and at last to fix upon us, instead of those equal political rights, the acquisition of which was alike the object and supposed reward of our Revolutionary struggle, a system of exclusive privileges conferred by partial legislation.”

No man labored more indefatigably to establish banks without capital, and which should not be obliged to redeem their issues with money than Martin Van Buren. He and his pupils, puppets, and partisans, have done more in the way of betting at elections, gambling in stocks, selling bank charters, and destroying “the purity of elections” than any other faction ever embodied in the State of New York. They cry out lustily against the very sins they more than all others steadily indulge in.

Betting and gambling in stocks occasionally, degrade other classes of our people, but with the Van Buren party proper, it is, “their trade.”

Men are warm-hearted, generous, kind and social at five and twenty. Mr. Butler had not arrived at that age, when he became President of Barker’s privileged bank. What was *his* conduct? What was Hoyt’s?

Mr. Van Buren the father, voted for the Old Buffalo Bank, and set up the Safety Fund. Even in the flush of victory, Nov. 1828, he could not help reminding his confederate Hoyt, that beyond a certain vote in the State, the residue of the votes were *only useful on the score of bets*. Mr. Van Buren the son wrote the letters which appear in the preceding chapter! Observe *their* contents.

Who of our Governors has approved of more profligate bills, creating “privileged associations,” as Mr. Van Buren the elder, called them, and of more of them, than Mr. Marcy? No one; *not even Throop*! Yet hearken to Mr. Marcy in his message of 1836:

“I deem it to be my imperative duty,” says His Excellency, “to invite your attention to a practice, which, carried to the excess it lately has been, is, in my opinion, very pernicious to the well-being of the State. Dealing in stocks, so far as it assumes the character of stock-jobbing, is a species of gambling, and produces most of the evils, public and private, which usually result from the indulgence of that unfortunate propensity. If this kind of speculation has not recently been conducted in a manner altogether new, it certainly has been carried to an extent altogether unprecedented. Immense quantities of stock have been sold by those who had it not, under a contract to be fulfilled at some future period, and purchased by those who did not expect a delivery of it. The results of these transactions are adjusted without the delivery of the stock, and the loss and gain ascertained by its market value on the day stipulated for performing the contract. This is no more nor less than a wager upon the price of particular stocks on a specified future day. It is worse than wagers upon ordinary contingencies, because the event may be controlled by artifice and management, and the persons concerned are too strongly tempted to resort to them to subserve their interest. It is true, our present laws regard these transactions with disfavor. Such contracts are not only declared void, but the persons who have gained by them may be compelled to refund to the losing party or his representatives; yet they are constantly made, and in most instances faithfully executed. The extent to which this species of gambling has been lately carried, and its injurious effects upon many individuals who have embarked in it, have given it the character and consequences of a public evil.”

Governor Marcy, as his predecessor tells Mr. Jesse Hoyt, [see Mr. V. B.’s letters of Feb. 1829] was made a judge to preserve him from being broken down or ruined. He wrote a message, or the “operators” of Wall Street wrote it for him, advising the creation, in March, 1834, of a six million loan, which was



never raised. Mr. John Van Buren, the reader will have perceived, was shown this message in advance, and used it to speculate in the stocks, through Hoyt. May not *others* have had the same advantage? Mr. Marcy had been saved from ruin, and why not be grateful? Look at his weak, feeble character, and say if the message that was to put dollars into his patron's son's purse, "charm you Yorkers," and make even old Mr. Lawrence "run like the cholera," is not calculated to rouse suspicion, when taken into consideration with his whole official conduct? "Men who are opposed to" the Banking system of N. Y. State, says Mr. Butler, or Mr. O'Sullivan, in the number of the Democratic Review already quoted, "may, indeed be elected to Congress, or to a State Legislature, but seldom without a severe struggle; and, after they are elected, they are exposed to dangers of corruption as great as any the members of the British Parliament were exposed to in the days of Sir Robert Walpole. . . . In the courts of justice, they [the "Banking interest"] have perhaps, a more decided ascendancy than in the legislative halls; for most of the principal judges are members of this privileged order. AND THE GOVERNORS OF MANY STATES, and the municipal authorities of many of the principal towns, are mere instruments for the promotion of their purposes."

In the State of New York, privileged Bankers, Governors, our principal judges and municipal authorities have, generally speaking, been the creation of the well organized party of which Mr. Van Buren is the chief. Is not, then, this party or faction, on the showing of its own public organs, dangerous to society?

Governor Hill of New Hampshire, like his friend Wright at Albany may have denounced betting on elections, in his public messages, but he did not do so in his private ones. For example—

[Franked, Concord, Oct. 18.—"Isaac Hill, S. U. S."]

Concord, N. H. Oct. 15, 1832.

My dear Sir—Yours of the 12th was last evening received. TO MEET THE BRAGGARTS OF THE OPPOSITION I ADVISE MY FRIENDS THAT ANY SUM WILL BE SAFE ON THE ELECTORAL VOTE OF Pennsylvania and New York.

In this State we are so strong, that should every other desert him, we may be relied on as giving a decisive majority for Andrew Jackson. Yet the Bank is scattering its thousands here to affect us. I am, Sir, respectfully,

Your friend and obedient Serv't

ISAAC HILL.

Jesse Hoyt, Esq. N. York.

Governor Hill and Mr. Stephen Allen were selected by Mr. Van Buren, as Receivers General under the Sub Treasury Act, Mr. H. being then President of a chartered Bank, and also a Government Contractor. In the report on the post office, and its abuses, Senator Hill and partners, appear for \$14,000 for blanks, paper, twine, &c. Such patronage to a free press could afford a bet with "the braggarts."

Like Hill, the Van Burens, and Hoyt, their betting brother the venerable Thomas Ritchie, went as far as he could afford in "the selfish and corrupting practice." His letter we have not room for now.

I think that Mr. J. Hoyt's bets, from 1831 to 1840, must have exceeded \$120,000, calculating from the evidence before me. And yet he, too, was deeply interested in preserving "the purity of our elections!" Cash, clothes, boots, hats, dollars—on week days and Sundays. There was no end to it.

John C. Cruger to Jesse Hoyt. Charleston, Nov. 27, 1834.

My Dear Sir—On my arrival here I wrote to my brother-in-law Mr. Pell requesting him to pay you three hundred dollars 150 for yourself and the same sum for Mr. Wilson. I send this letter by the steam packet and it will probably be in New York as soon as that. When you receive the \$300, please pay the 150 to Mr. Wilson whose bet is the same as yours. Although the result of this election must be very agreeable to you, I can not congratulate you, for I trust that you will look upon it as a source of regret before many years.

I am truly yours,

JOHN C. CRUGER.

The above was received of A. Pell, 3 Dec. 1834.—A Glover.

"A gentleman, through Mr. J. Hoyt, bet ——— and his friends, One Thousand Dollars, that General Jackson will have as large a majority at the ensuing election, over the vote opposed to him, as to be equal to the total vote given to any opposing candidate—provided General Jackson is alive on the day the vote is given. The money to be put into the hands of S—— G——. If 'a gentleman' wins, money to be paid to J. Hoyt. If he looses, to be paid ———. Oct. 29, 1842, \$1000 deposited by each."

[Here follow the signatures.]

Mr. Hoyt deposited his check on City Bank, payable to bearer, which was given up Jan'y 17, 1833.

Mark the genteel embarrassments of Mr. Van Buren's friend and future Collector of Customs. It is presumed that the Vice President's convenient endorsement *may have* on this occasion relieved the unfortunate dealer in wagers, politics and public stocks.

Two Notes—John Warren, Broker, Wall street, to Jesse Hoyt. "New York, Dec. 27, 1834.—Dear Hoyt—You will find by the inclosed account, made up to 21st inst., a balance due us of \$2997.24 cts. Will you do us the favor to have it settled?"

"New York, Jan'y 12, 1835.—Sir—Not having received the balance due our late firm, I feel myself bound by the regulations of our Board to hand in your name unless settled by 10½ o'clock, to-morrow."

Thus stood the successor of Swartwout in 1835. In a few months thereafter, he, his friend Butler, and their comrade W. S. Coe, were the board of Commissioners to examine into and settle all claims relative to duties, arising out of the great fire in New York!!!!

Post mark, "Steamboat." C. L. Livingston to Jesse Hoyt, Esq.. Wall street, New York.

My Dear Hoyt—The U. and Schnectady rail-road passed our House this morning. I have just enquired of De Graff his opinion of its fate in the Senate—he is not confident of success, but thinks, with a full Senate, it may pass. *As this is a matter of some importance to yourself I would advise that you come up and lend a helping hand to those already engaged in carrying it through.* Yours,

C. L. L.

Edward Livingston to Jesse Hoyt, Dec. 5, 1823.—"I should like a ticket in the Southern Lottery that has a \$100,000 Prize in its wheels. Now, as a favor, I will take half of a ticket with you, if you will purchase one—but recollect it is the last time, and that if should draw a blank I will not venture any more *with you*. If you consent to this proposition let me know our number, and then I shall have *something joyful in anticipation*."

Mr. J. Van Buren's secret correspondence shows who and what class of persons they are who dare and brave the public with enormous bets. The comment had best be made in the language of Governor Wright's last annual message, as follows:

"Another point of much more serious complaint, is the extensive and rapidly increasing practice of betting upon elections, and the interested and selfish, and corrupting tendencies which it exerts upon the election itself. These improper and corrupting influences have made themselves manifest to the whole body of our freemen, and constitute a theme of almost universal complaint. Upon the party to the wager, they are all controlling. His ear and his mind, from the moment his money is staked, are closed against argument, or reason, or examination, either as to the questions involved, or the candidates presented for his suffrage. He must so vote and so act as to win his bet, and the welfare of the country becomes an entirely secondary consideration. His appeals to all over whom he may hope to exert an influence, are to save himself from loss, and help him to win the money of his opponent, not to examine and inquire how they may best serve their country by their votes."

"The suggestion," continues His Excellency, "most likely to arrest the practice of betting, is to make it punishable criminally; to subject the parties to every bet made upon the result of an election, to indictment, and upon conviction, to punishment by a fine, to be graduated by the amount of the wager, and to all the costs of the prosecution. The deleterious influence of this species of gambling upon the public morals alone, would, it appears to me, justify the passage of a law which should make it criminal. And when its corrupt and corrupting tendencies upon our elections, upon the free and proper exercise of the elective franchise; when its influence to bring the improper expenditure of money into a political canvass, and to apply it under the desperate impulse of a gambling spirit, are considered, I cannot doubt that the moral and political aspect of the evil will fully justify its classification as a crime and its punishment as such."

Imagine a criminal case on betting, and Mr. J. Van Buren, as Attorney General, prosecuting for the people!

If I remember right, Mr. M. Van Buren rewarded the Farmers and Mechanics' Bank of Albany, and Messrs. Knower, Olcott, Corning & Co., its managers, with the custody of some millions of dollars out of the national treasury. How some of that money was used I shall have occasion to tell in another publication.

In Mr. John Van Buren's letter to Mr. Hoyt, dated Aug. 23d, 1836, he agrees to become the partner of Messrs. Hoyt and Francis B. Cutting the lawyer, in a speculation of large amount, requiring a heavy advance of funds, on condition that he (V. B.) furnishes the cash and takes half the profits. A Bank in Albany (was it Olcott's?) lends a large sum to the Fulton Bank, N. Y., conditioned that the Fulton pay 6 per cent and receive 7 from Hoyt and Cutting. They were to repay the Fulton whenever he told the Albany Bank to demand a repayment of its loan.

Whatever might be the issue of such a partnership, it is clear that Van Buren, the son,\* and Hoyt, were partners—we all know that Mr. Hoyt was a broken down speculator—and John Van Buren's letter of Nov. 11th, 1836, conveys to him the acknowledgments of father and son, and bids him electioneer to secure his return as president. The reversion of the Custom House, as a recompense, followed in due course—and although the public suffered by the operation, it is believed that President Van Buren and his family had all balances duly paid them.

\$12000,

NEW YORK, Feby. 10, 1831.

Six months after date I promise to pay Samuel Glover, Executor, &c. Twelve Thousand Dollars, with interest at the rate of five per cent per annum, to secure the payment of which I pledge three hundred shares of Tradesmen's Bank Stock at par.

J. HOYT.

\* Of the following statement I know nothing further than that in May, 1842, the safety fund bank notes, which had failed were at a heavy discount. In the N. Y. Herald of May 21, money article, Mr. Bennett says:

"The present administration authorized the issue of a seven per cent stock to redeem the bills in the order in which the banks failed. The Comptroller has, in consequence, advertised to receive the bills of the Bank of Buffalo for subscription to the State stock and other payments. The public were entirely ignorant, however, of the *modus operandi*. Now, several weeks ago the bills of the Bank of Buffalo were at a discount of 30 per cent; suppose at that time a clique of individuals at Albany and Buffalo, the chief of whom we will call 'Prince John,' should have received an intimation that the bills were at 30 per cent discount, but that in a short time, that is as soon as the \$1,000,000 loan should be taken up, a seven per cent stock would be issued in redemption of those bills—Prince John would give orders for the purchase of say \$20,000 of the bills; under those purchases the bills would gradually rise until the whole were obtained at an average of 80 cents on the dollar. These would then be redeemed at par in a seven per cent stock worth 3 per cent premium. The operation would yield a profit of \$4,000, and in the same proportion for a greater or less sum purchased."

The United States Bank Stock of which Mr. J. Van Buren speaks may have been his father's. Where had he at that time earned money with which to buy U. S. Bank shares, heavily? His agent, Mr. Hoyt's gambling and speculating must have been all but boundless. He was a partner in a gold mine at New Potosi!—a partner with Coddington in buying and selling some \$30,000 worth of lots, houses, &c., in New York—a partner with Glover in a large purchase of town lots about Herkimer or Little Falls—and law agent, or manager for a flash bank, the New Hope concern, if I mistake not.

† When Colonel Webb of the Courier and Enquirer, New York, went to England in the summer of 1838, his name was at a note which, he says, was obtained under false pretences—drawn 18 months before—and for which he had never had any value. It got into the hands of a political opponent, who lodged it in the City Bank, Albany. Mr. Erastus Corning, one of the richest and keenest of 'the reptile band' I here describe, swore to the claim, Governor Marcy certified, as did Consul Buchanan, and off the note was despatched, post-haste, to England for prosecution, by the arrest of the unsuspecting Colonel in a distant land.

Mr. John Van Buren and Col. Webb were in England together—the former, the associate of princes, peers, and all that was fashionable in London, by courtesy the most fit, as the son of the chief magistrate of the Union—the latter as an American traveller. The attorneys in London were puzzled how to prove Judge Lansing's or Col. Webb's signature to the note—ship-captains, merchants, editors, travellers, Americans, the American legation, everybody they applied to, put them off, being ashamed to have any connection with Mayor Corning's sharp practice. Mr. Van Buren, alone, excepted—he voluntarily swore to the Colonel's or Judge's hand writing, and thus enabled the bailiffs to arrest Webb, on a King's Bench process, in Bristol, where he was waiting the sailing of the Great Western, by which to return home to New York. Bail or a jail were the alternatives, and bail was found for nearly six thousand dollars.

When first walked on, Mr. Van Buren refused, and said it was a very harsh step to arrest a man in a strange land, remote from his friends, and that Mr. Webb was a warm political opponent of his father and himself, and then referred the men of law to Throop and Benthuyssen. But when the pinch came his oath was ready, only he swore "very reluctantly." It seems he knew Mr. Webb's signature, having been invited to his table by a note in his hand writing, while the parties were yet friendly, also that he knew Judge Lansing's hand. When a gentleman of wealth and standing came forward as bail, the prosecution was at once abandoned, and Col. Webb had to pay about \$150 of costs.

(Memor. annexed to the above with a wafer.)

"Feb. 10, 1831. Borrowed of S. Glover, Ex'tor, &c. \$12,000 on 300 shares of Tradesmen's Bank Stock, for 6 months at 5 pr c't. Having delivered stock and my note to J. Ward & Co., I took \$12,000 from him on agree't of Glover. The stock I own. J. HOYT.

Oct. 15, 1831.—Rec'd. on the above note, F. A. Tracy's check for four thousand dollars.

\$4000,

SAMUEL GLOVER.

The New Hope Delaware Bridge Company had a charter, with perpetual banking privileges granted them in 1812, by Pennsylvania and New Jersey, to enable them to erect and maintain a bridge across the river Delaware. In 1821 they suspended payment, and in 1824 assigned their property to trustees to pay their debts. In May, 1825, provisions were made for the issue of new notes, J. Q. Leake, of the old bankrupt Buffalo Bank, and Mr. Van Buren's editor of the Albany Argus, being their treasurer—a connection formed through Hoyt, Barker, &c. He puffed the concern in the Evening Post, and other New York papers, in May 1826, but in October the Bubble had burst. Mark Spencer (found guilty of cheating in New York, through bank corporation hocus pocus, in that year, and sent to jail, *I think*, with the Lamberts,) Kenneth Fish and others had bought half the bank for \$28,000, got hold of the direction, took out all they had paid in, and repaid those in N. Y. they had borrowed it from, got Leake and others to puff them, put out \$100,000 to \$300,000 new notes—stopt—shut shop—bought in their notes at 6 to 12 cents per dollar—sold out to John Mowatt, who puffed once more, flooded the country with notes and bonds, blew up, and was turned over to Wilbur, John Delafield of the Phoenix, St. John, &c. The Pennsylvanians drove the concern out of the State, and it was set up on the Jersey side, where the cashier is now a lad of 18. The Ohio Life and Trust Co. issue their notes, and another earthquake will follow in due season.

Mr. Hoyt and Mr. Butler were of Counsel for the knaves convicted in 1826, and it appeared that they helped to break down the Greene Co. Bank, which had some \$20,000 of Mark Spencer's Delaware notes when it burst. In Dec. 1839, Judge Edmonds's brother Francis, and J. Rankin, published a statement of the Bridge Company's affairs, by which it appears that Governor Marcy owns 100 shares and had gone to New Jersey to borrow \$2000, the Knowers being his indorsers—that Charles Butler had borrowed \$4000, secured by mortgage—that Joseph D. Beers, of the North American Trust Co. had contrived to become a director here also, and had lent J. D. Beers on his note \$5581, and J. D. Beers & Co., on their note other \$36,388, for which 1290 shares of the stock of the concern, *paying no dividend*, was pledged, with other fancy stocks—that John Delafield had borrowed \$18,880, with fancy pledges—that, in short, a committee in New York had lent a few favorites \$332,346—and that the directors of 1838, just before they went out, had exchanged the notes of Beers, Delafield, and others *payable on demand*, for other notes having 10, 12, and 14 months to run! I believe that Hoyt made out the celebrated Fish and Spencer agreement, but whether he is still *connected* with the managers I am unable to say. The Morris Canal Company's stock in which there has been great gambling, fell from 75, in the course of three years to zero. In November 1841 it was unsaleable. I saw some 6 or 8 columns in the N. Y. Herald not long since filled with a puff of that bank, which I took to be from Mr. Hoyt's pen. Its stock is up again to \_\_\_\_\_, and I hear that he is one of its agents or solicitors—perhaps the chief one.

It will be seen how the stock of a bank may be puffed up or lowered when we come to state Messrs. Beers and Hoyt's operations in the N. A. Trust Co. The extent of Mr. Hoyt's operations, for himself, Messrs. Van Buren, Cambreleng, &c. may be guessed, when I state that his account with one House, Dykers & Alstyn, Wall street, for Harlaem, Patterson, Mohawk, Utica, Phil. and Trenton, Boston and Prov., and Saratoga Rail Road Stock, bought and sold on speculation, in the nine months ending in August, 1835, amounts to \$700,000. This was his account but with one house out of many.

He did much of C. C. Cambreleng's business. On the 13th September, 1833, that

gentleman engaged to deliver him 200 shares of Saratoga and Schenectady Rail Road Stock for \$23,223. Next day he ordered Messrs. Warren to place the stock in his name, but for account of Mr. Cambreleng. Mr. C. with Mr. B. were among his warmest supporters in 1838, for the Custom House, and it must be owned that if Butler was the proper successor of Price, so was Hoyt of Swartwout.

## CHAPTER XVII.

*Mr. Stephen Allen secretly proposes a \$500,000 Tammany Hall Bank.—John T. Irving's Oration. Mr. Butler troubled—had to nominate Col. Young. Samuel Young, from 1815 to 1836. His opinion of "the Old Republican party"—Confessions of the Evening Post. England in 1773.*

We have quoted the opinions of Messrs. Butler, O'Sullivan, Van Buren and others against "privileged associations." "A paper-money aristocracy," (says the Demo. Rev. for Dec. 1839, p. 455) "has not a single redeeming trait. Sordid in its origin, it is sordid in every thing." "How should a petition for a bank charter conclude?" said one. "And your memorialists will ever prey," was the answer.

The following letter is from Mr. Stephen Allen, Receiver General for Mr. Van Buren's sub-treasury, "a hard-money man," formerly lottery dealer, State Senator, Mayor of N. Y., and who had been the builder of his own fortunes. To his honor be it recorded that he rose from being a poor sailor boy and sail maker, by industry, probity, and great energy and perseverance, to a high place in the public esteem. How far he deserves his character of hard money democrat, the following secret letter to Mr. Hoyt will help to discover:

Post m'k "Steam Boat—12½c." and addressed to Jesse Hoyt, Esq., N. York.

*Mr. Stephen Allen to Mr. Hoyt.*

Albany, Nov. 28, 1832.

Dear Sir—Nothing is more true than the observation made by Mr. Van Buren at the Democratic festival; that the democratic party, in a great measure, owe their present and previous victories to *Tammany Hall*, the place of concentrated opinion and action, and a rallying point of the democracy of the city, or words to that effect. There cannot be a doubt but that the building of that Hall, and thus far preserving it as a *Party Establishment*, and a rallying place on all occasions for the Republicans of the City and surrounding Counties, has been one of the means of our triumphs.

I was one of the Committee who purchased the ground—made the contracts for building—and raised the money to pay for it.

The operations of that Committee arduous and responsible, as during the progress of the work they were frequently compelled to raise considerable sums on the responsibility of their own names. The whole establishment cost about \$55,000; all of which sum was subscribed by individuals of the party except \$18,000 (if I recollect right), and for which last sum the premises are now under mortgage.

If the party properly estimated the benefit it has received from the establishment, this debt would have been cleared off by subscription long since; but such a result, perhaps, is not to be expected.

A thought has therefore occurred to me, and which is the object of this letter to communicate; whether the extinction of this debt may not be effected by obtaining the CHARTER OF A BANK by the name of THE TAMMANY BANK.

*There cannot be a more favourable period than the present for such an application.*

The large majority we have in both Houses and the good feeling evinced by the Country towards US consequent on the large vote given by the City to the democratic candidates, together with the important object of relieving Old Tammany from its embarrassments, WITH OTHER CONSIDERATIONS, I should presume would carry the bill through triumphantly.

The following plan of a Bank, I think would effect the object.

The capital to be FIVE HUNDRED THOUSAND DOLLARS AT LEAST. The Society of Tammany to be PRIVILEGED to subscribe for \$100,000 of the Stock.

The Bank to be authorized to *loan* the amount on their bond, at an interest of three per cent per annum, the loan to be for three or four years.

If the Bank divides six per cent on its stock, the SOCIETY would receive THREE THOUSAND DOLLARS annually, *over and above the interest on the loan*, which, in three years, would amount to 9,000.

In the mean time the stock would advance in value, and, *if sold* at the end of three or four years, would probably be worth ten per cent above par, netting a clear gain of \$10,000, by which *operation* the Society would be put into possession of \$19,000, a fund more than sufficient to clear off the incumbrance.

*My opinion you no doubt know is in opposition to an increase of these Banking Monopolies in the City—but the Legislature WILL make them—and therefore IF WE must have them*, there cannot be a more legitimate object to be effected, both in a *party point of view*, as well as the *charitable* attributes of the Society, than the one alluded to.

If you think well of the matter, I wish you would consult some of our leading men—and if, on due consideration, the project should be deemed proper, it will be necessary that a notice should be published of the intention to apply, *which you know may be published without the name of the applicant*.

*I wish it to be distinctly understood that I cannot serve in any of the offices created by such an institution—but any assistance I can give in advancing the interests of Old Tammany will be cheerfully afforded.*

You will, of course, let the matter drop if, upon a view of the subject it shall be deemed inexpedient. I am with due respect, your ob't serv't.

STEPHEN ALLEN.

Mr. Allen is one of the confederates of President Van-Buren, and it is impossible to read the above letter attentively without perceiving that there is a similarity of tastes, of disposition, and of conduct. Mr. Allen wishes to keep up appearances with the real friends of free, elective institutions, but to let no occasion slip, where the millions may be more and more tied down behind the car of monied monopoly. He would get his friend Hoyt to sound the leaders at Albany, in favor of turning Tammany Hall into a partner in a Tammany Hall Bank, now that General Jackson's second election was sure, and *the party* strong in the state—but he (Allen) must not be known in the matter, because he had an outward appearance to keep up at variance with his real sentiments. He would have half a million of dollars as the capital, and "the Society of Tammany to be privileged to subscribe \$100,000 of the stock," although the hypocrite well knew that the society was instituted to preserve equal rights, and put down privilege. He and his friends had acquired much wealth and influence, by pretending to be democrats, while their every act gave the lie to their professions. By Legislative jobbing and the "party establishment," the citizens had been deceived, and did not see it. Now might be the time to carry the deception further. Tammany Hall owed \$18,000. Here was a plan to pay it off out of the public purse, by selling the rights of his fellow citizens to a favored few, and Jesse Hoyt was chosen to carry it through, if practicable, leaving Stephen Allen, the artful projector, in the back ground of the picture.

On the 12th day of May, 1810, John T. Irving, brother of our minister at the Court of Spain, and who was an ornament to the country, and the age in which he lived, as he would have been to any age or country, delivered the anniversary oration before the Tammany Society, or Columbian order.

It commenced thus:

"Brothers, we are here assembled to celebrate the anniversary of an institution whose object is a *nation's* prosperity, and whose supreme ambition is a *nation's* glory."

It is very probable that Stephen Allen sat and applauded Mr. Irving, while he thus poured forth the manly eloquence of a truly honest and faithful American bosom.

"The only evil we have to apprehend, is that this immense influx of wealth from foreign sources, may gradually detach the cultivators of the soil, from the pursuits of husbandry, and plunge them into foreign speculations. We are an agricultural people, and if anxious to perpetuate our liberties, the cultivation of the soil must be our primary ambition. The mountain Swiss, while devoted to their pastoral labours enjoyed the purest freedom.

As yet our population, widely scattered, and devoted to agricultural employments must center all their pleasures in rural and domestic enjoyments. But when avidity for gain shall have drawn them from their peaceful habitations; when the cottage, the plough and the farm shall be exchanged for the luxurious city and the crowded mart. *Then will the work of depravity secretly commence; sedentary and soul-wearying avocations will succeed those healthful exercises which give elasticity to the mind and vigor to the frame. Tumultuous amusements, with no other charm than their novelty, will supplant the tranquilized pleasures of home, and impair that domestic felicity, the aggregate of which forms the sum and substance of national prosperity. Nor will the evil end here. An inordinate thirst for gain will allay the fervor of patriotism; foreign speculations will produce foreign attachments, and the heart from motives of interest, be induced to indulge sentiments of hostility, at a time when its affections should be most firm and loyal.*"

"The eyes of the nations are upon us, anxiously watching our movements, and nicely balancing our councils. The friends of human liberty behold us with fond solicitude, not unmixed with fearful apprehension. They trust to our intelligence, but they fear our increasing luxury and wealth.

The persecuted of every clime cast a wishful eye to this land of promise, and hail it as the only terrestrial haven of rest to life's weary and oppressed sojourner. Liberty, exiled every other lodgement, has made this her last abiding place, and can only be driven away by the perfidy of those over whom she now extends her fostering pinions.

Oh give not cause of exultation to your enemies, that your situation is precarious; let not your friends have reason to tremble for your safety. Remember the claims of posterity rest upon you; that as your fathers have laboured for you, so you are to live and labour for your children. That you are but trustees of the rights you possess, while the inheritance is theirs."

Such was the language, and such were the principles of Tammany Hall in 1810. May they endure for ever!—May the lovely children of free, favored, young, gallant and glorious America, cherish such sentiments as Judge Irving then there promulgated, to the very latest posterity. Little did you imagine, Stephen Allen, when your youthful bosom beat in holy unison with the generous feelings of the gifted brother of Washington Irving, that the black night would arrive in which you would join the perfidious band, who fostered by the Liberty your fathers nobly gained, are struggling to rivet on the freeman's arm the ignoble chain of sordid usury! Blush, Stephen—read your secret letter, and blush for shame!

Mr. Allen's secret letter to Mr. Hoyt was written against the clearest convictions of his own mind. Age had increased, and avarice controlled. The great De Witt Clinton, in his message of 1819, to the Legislature of N. Y., solemnly warned his countrymen of the dangers attending the wretched banking system, which had obtained in the Union. Mr. Allen was chairman of a joint committee of the Senate and Assembly, to reply to this message, which reply states, that there were too many banks—that farmers and mechanics had been allured to borrow, and had fallen a sacrifice to the banker's avarice—that the immoderate extension of banks had produced a 'banishment of metallic money—loss of commercial confidence—the exhibition of fictitious capital—the increase of civil prosecutions—multiplication of crimes—the injurious enhancement of prices—and the dangerous extension of credit.' With banks increased five fold, if not ten fold since 1819, did Mr. Allen expect to mend matters by turning Tammany Hall into an Usurer's den?

Von Muller, speaking of a commercial metropolis, (ancient Carthage,) in his Universal History, states, that "when the public morals became corrupted by wealth, the state suffered at the same time the evils of oligarchy and of ochlocracy. Every thing was venal! the party leaders, thought only of themselves, and the commonwealth was neglected." What remedy would Mr. Allen proscribe in such a case, think ye? A Tammany Bank!!

Mr. Van Buren has associates whom he likes. One of these is Stephen Allen. He has others whom he does not like. One of these is Colonel Young.

[Post mark, New York, April 15.]

ALBANY, April 13, 1824.

DEAR HOYT—Political affairs stand well. *The nomination of Young has defeated the plans of the opposition; and though I did what I could TO PREVENT\* ITS*

\* Colonel Young, like Senator Allen, owes his rise to his own ability, energy, industry, talent and perseverance. His forefathers, like those of Michael Hoffman, were from Ireland. The close of the war of 1812, found Colonel Young, in the very prime of life, at the head of the House of Assembly of the State of New York, as their Speaker—and when their session closed on the 19th of April, 1818, the excellent address of the republican members to their electors, is signed at the top of the first column by Samuel Young, who wrote it, and near the bottom of the last by Martin Van Buren.

It is also signed by Nathaniel Pitcher, Ogden Edwards, F. A. Bloodgood, W. C. Bouck, Erastus Root, Nathan Sanford, John Wells, and many other eminent men—and it thus concludes:

NECESSITY, *I am yet persuaded, that, under all circumstances, it is the best thing that could be done.* You will see the two addresses. To ours we have more than two-thirds of both Houses—and though it does not speak *directly* of the presidential question, I think its tendency, &c., can hardly be misunderstood. If matters go as we expect, there will be a large majority for Mr. Crawford at the next session. Indeed it is very certain that he has received a majority of both branches. Rely upon it every thing will go well.

Yours truly,

B. F. BUTLER.

"The man who has abandoned the standard of his country when the storms of adversity were thickening around her; who has mocked at her calamity when she was struggling with an insolent and vindictive foe; who has thrown his weight into the balance against her, illy deserves to bask in the sunshine of her favors, and to participate her honors in the golden days of prosperity."

In 1824, Mr. Butler considered it a sad circumstance that obliged them to choose Colonel Young as a candidate for office, and "did what he could to prevent its necessity"—and, in 1828, Mr. Van Buren thus pronounced in the U. S. Senate his new shibboleth:—"It is of itself *IMMATERIAL* by what *POLITICAL APPELLATION* men have heretofore been called. The great question is—what are *honestly* THEIR PRESENT SENTIMENTS upon those great points which have from the beginning divided the American People, and would, be feared, continue to do so unto the end."

The Colonel Young of 1815, whom General Jackson called the *Cato of the Senate*, is, in the main, the Colonel Young of 1845. In 1824, he went with all his soul for Henry Clay, for president—in April, 1836, he threw up his seat in the Senate of New York, when Mr. Van Buren's scheming majority there refused to send back to their constituents for trial, two of their party clearly convicted of enormous stock-jobbing frauds—and in the fall of the same year he said—"We have departed, and are continually departing, from the simplicity of those principles which were the price of our fathers' blood. The few are gradually monopolizing the rights of the many, and legislation has become the subject of bargain and sale, of venality and corruption." Plain language this!—but not a whit plainer than that of the Allens, Butlers, Van Burens, Hoyts, Barkers, Bennetts, and Coddingtons, when behind the scenes. Witness their sentiments recorded by themselves in this volume!

It is evident that the Van Buren party *proper* never gave Samuel Young a hearty support. The caucus (106 members of the N. Y. Legislature, out of 160) met April 2, 1824, and Flaggs rose to urge a selection of Yates for Governor in preference to Young, whom he denounced as Yates's "bitter and implacable enemy." Wright (now Governor) also spoke against Young and for Yates—as did E. P. Livingston. "The Van Buren party all supported Yates," said the Patriot, including Dudley, Bowne, Ward, &c. They counted 45 votes. Young was nominated, but not elected. He follows Mr. Van Buren, nevertheless—defended the State Bank charter system—and at Syracuse, 1843, and Baltimore, 1844, went energetically for 'a restoration.' The *Argus* and *Atlas* play the favorite tunes of the party—each organ with suitable variations for its class of believers, of whom the Colonel is an *Atlas* man.

A party in New York called *Loco Foco* had asked Colonel Young to be their candidate for Governor. He declined, but reminded their committee, that "a demagogue of the present day, backed by a disciplined lobby and a few mercenary presses, can rifle more plunder from the unborn than ever surrounded the triumphal car of a Roman General."

"Tammany Hall," said the loco focos in reply, "has become a nursery of brokers, where federalists, monopolists, and corruptionists are fostered. The open leaders, the secret movers of the party, and their minions, comprise a body of men whose political turpitude it would be difficult to parallel in any age or country. They have used the party for their own selfish purposes, and are either at the head or participating in the legalized spoils of every existing monopoly. These chartered democrats, with the assistance of a secret society, hired presses, the slaves of office, and the 'known usages' can always caucus and pack the General and Nominating Committees to promote the objects of aristocracy."

If this is the truth, ought not the whole people, as one man, to unite in selecting the purest, ablest men in the State, for the Convention of 1846? Speaking of Mr. Butler and Mr. Van Buren's party machinery, the *Evening Post* thus frankly confesses that our present system of committees, primary meetings, and delegations are a series of base frauds:

"It is a fact, admitted by all, [says the Post,] that our system of nominations by Conventions has become corrupt to the core. Our primary meetings have become a disgrace and a by-word. Frauds of the basest nature are openly and unblushingly practised to secure delegates to the nominating committees, who will subvert the interests of a few corrupt politicians—who, like a greedy pack of hounds, set upon any man who dares expose their profligacy, the profligacy of those who owe their elevation to their shameful frauds, or propose measures of reform by which the nominations may be brought directly home to the people."

Our next chapter will illustrate the text of the Post, and show how it is that "a few corrupt politicians" can, "like a greedy pack of hounds, set upon any man who dares expose their profligacy." We will begin with the Custom House.

This note closes with a description of Britain in July, 1773, addressed to Sir Horace Mann, by Horace Walpole. Earl of Orford, a son of the famous Sir Robert Walpole. Britain neglected all admonition, and plunged into a career of war, bloodshed, debt, oppression, and crime, the results of which have chained down her people to poverty in the sight of wealth; and there, degraded and disgraced they lie, ashamed of their ignoble servitude, but unable to throw it off. Citizens of New York, shall we profit in time by their example?

"They say the Bank is to issue five pound notes: at present all trade is at a stop and the confusion is extreme. Yea, verily, the villainy and iniquities of the age are bringing things rapidly to a crisis. Ireland is drained, and has not a shilling. The *explosion of the Scotch Banks* has reduced them almost as low, and sunk their manufactures to low-water ebb. . . . What is England now? A sink of Indian wealth, filled by nabobs and emptied by maccaronis! A Senate, sold, and despised! A country overrun by horse-races! A gaming, robbing, wrangling, railing nation, without principles, genius, character, or allies; the overgrown shadow of what it was!"



## CHAPTER XVIII.

*Jefferson on government interferences at elections. Swartwout, Lawrence, Price, Allen, and Wetmore's practice. Inspector Ogsbury. Van Buren recommends General Spicer of the "U. S. Lombard" for office. Sketch of Prosper M. Wetmore. Alderman Purdy's petition, and Quackenboss's counter-petition. Active Politician's pay office, Custom House. Proscription for opinion. New Taxes from St. Tammany. Butler enraged at Clinton's exposure of the "organized corps." Col. Decatur. John MacGee's way to Office.*

Mr. Butler has the word of God constantly in his mouth. How far he seeks to square his conduct by his favorite standard let this memoir show. Mr. Van Buren professes a devoted attachment to the principles of Jefferson and the civil revolution of 1800. Is it for the imagination of man to conceive any course of conduct more at variance with the doctrines of the sage of Monticello than the practice of the tenant of Lindenwald!

Let us compare Tammany Hall practice with the following extract from a letter—Thomas Jefferson to Governor McKean, a signer of the Declaration of Independence—dated Washington, February 2d, 1801.

"Till this [the Election of President] is known, it is too soon for me to say what should be done in such atrocious cases as those you mention, of federal officers obstructing the operation of the State governments. One thing I will say, that as to the future, INTERFERENCES AT ELECTIONS, WHETHER OF THE STATE OR FEDERAL GOVERNMENT, BY OFFICERS OF THE LATTER, SHOULD BE DEEMED CAUSE OF REMOVAL; BECAUSE THE CONSTITUTIONAL REMEDY BY THE ELECTIVE PRINCIPLE BECOMES NOTHING IF IT MAY BE SMOTHERED BY THE ENORMOUS PATRONAGE OF THE GENERAL GOVERNMENT."

Immediately after the fall election of 1834, Messrs. Cornelius W. Lawrence, Wm. M. Price, Stephen Allen, J. R. Whiting, R. Riker, Daniel Jackson, Gid'n Ostrander, Gideon Lee, and W. P. Hallett addressed a letter to their friend Samuel Swartwout, requesting that F. Ogsbury might be appointed an Inspector, as follows:

"New York, 22d Nov., 1834.—Mr. Ogsbury is an old inhabitant of this city—a firm supporter of the administration—and IN THE LATE ELECTION WAS ACTIVE AND INFLUENTIAL."

Mr. Jefferson believed that interference at elections by officers was criminal—the Jeffersonians above named held out \$1100 a year, and a sinecure, as the bribe for being active and influential at elections. The reward to follow close upon the service. If office is to be the immediate reward of active electioneering—if 500 places, at from 500 to 35,000 dollars a year income, are the fair recompense of struggles at the polls, the victors to have the spoils, is not the elective principle "smothered by the enormous patronage of the general government?" and will not violence, bully clubs, bribing presses, lying tongues, and all the evils attending wholesale corruption be among the results? Why did Morris and Varian invade Pierce's sanctuary at 12 P. M. on a pretended mission of purity of election, if 500 prizes are ready to reward the men who can gain a victory, no matter by what means? The merchants require honest, indifferent, capable officers about the Customs. Are Messrs. Allen and Lawrence more partial to active, influential, *one-sided* partisans? If so, and they can continue their system, the fair outside of our goodly republican tree will soon exhibit incurable rotteness at heart.

Twelve thousand dollars have already rewarded, in part, Mr. Ogsbury's "influential" labors of 1834. His services now are so easy that thousands would gladly perform them well for a sixth of his income.

Mr. Ogsbury, though he did not prosper as an Importer, was fortunate in being the father-in-law of General Prosper M. Wetmore, usually known as Swartwout's "great gun." General Prosper wrote the collector earnestly urging the appoint-

ment of his affectionate and "influential" relative—adding, that General Peter Spicer had been promoted at Washington, and wished to resign in Ogsbury's favor.

General Spicer was a keen office-hunter, and rode his mare far ahead of ordinary beggars. He wrote to Mr. Swartwout, March 24th, 1829, more than a month before that gentleman entered on his duties, that he had heard that he (Sw.) had been tendered the collectorship, and if so, he (Sp.) now tendered himself as his (Sw.'s) deputy. "I feel a conviction," observed the gallant military veteran, "that my mercantile experience would, &c."

I can with confidence refer to the members of the *REPUBLICAN party at large* in our city and State for the claims I may be considered to possess to your favorable consideration. I am AUTHORIZED to refer to the *Hon. M. Van Buren and the Hon. C. C. Cambreleng* for MY POLITICAL STANDING. I likewise feel justified in adding the names of Benjamin Bailey and the Hon. C. P. White, who have assured me of their disposition to advance my views."

The friend of Van Buren, Cambreleng, and White, could not be resisted. The General got Custom House rations from the date of Swartwout's advent till his patrons found the run of a better kitchen for him, in 1833, elsewhere.\*

\* Of his "mercantile experience" I will only mention that a fraudulent incorporated company failed in New York in 1836; its first president, Thomas Hyatt, was sent to the penitentiary for perjury and wholesale swindling in its management. General Spicer succeeded him—and General Prosper M. Wetmore was then Vice President. The public were defrauded \$600,000 to \$700,000 in a few months—Prosper was indicted by a N. Y. Grand Jury, Sept. 15, 1836, with Brown, Spencer, Hyatt and Jackson—turned States' evidence—and is, by the influence of Marcy, Bancroft and Van Buren, with Polk, Navy Agent at New York, one of the most important, confidential, and lucrative posts in the Union. Whether 'the General' will pass muster in the Senate is, like Butler's case, rather problematical.

Extract of a letter from a gentleman of undoubted respectability in N. York, to his correspondent at Albany, Jan. 8, 1831. "—also told me what I did not know before, that in consequence of Prosper M. Wetmore's connection with the 'Life and Fire' or some other stock company, the 27th reg't of artillery compelled him to resign. He is, consequently, obnoxious to the military, many of whom turned their eyes to — because they thought he could defeat him. I know Wetmore only as the author of Lexington, &c., and as the great gun of Swartwout and Lawson." This was written during a competition for the office of Quarter Master General, Throop being Lt. Gov'r. Whether the fact is as stated I know not, but if it be so, the 27th reg't of artillery gained honorable laurels by ousting such a character. Throop gave him some generalship or other in 1832. General Wetmore is, at present, a trustee of the *Nautilus* Life Insurance Company. Nothing could be more appropriate than such a title for the insurance companies of the last twenty years. The *Nautilus* floats gaily on the surface of the ocean, in fine, calm, fair weather—spreads out a thin membrane for a sail, and enjoys itself. But the moment it finds the wind blowing a gale, the waves rolling, and the storm rising, it shuts up its sail, dives out of sight, to rise no more till the return of pleasant weather. This is not the first *Nautilus* that he has been a trustee of.

General Prosper probably resided in the 14th ward of New York, when Van Buren broached his Sub-Treasury. The General, in the session of 1836, had voted for as many bank charters as any other member of the Assembly, if not more; yet he did not even blush when, as Vice President of "a large and enthusiastic meeting," in that ward, he sanctioned Dr. Hasbrouck and Mr. Reill's resolves, that the State had usurped unlawful power when it chartered banks—that any legislator who should aid a broken bank, renew a charter, or vote for a new one, is a traitor—and that banks with exclusive privileges are essentially fraudulent and destructive of the public welfare!

The testimony of Vice President Prosper himself, and of President Spicer, and Messrs. Miller, Baldwin, Falls, Reade, &c., at the conspiracy trial, before Judge Edwards in N. York, as recorded in the N. Y. Evening Post, shows that Mr. Polk has insulted the community by placing Wetmore where he now is. Mr. Polk may find the Butler agreement at Nashville a bad bargain yet. There will be a time to speak up. The native honesty and good sense of the American people will not be appealed to in vain.

The Hudson Insurance Co. started in 1825, with \$200,000 of capital sworn as paid in, but except a few cents on the dollar there was no capital at all. The stockholders paid, in 'I promise to pay, &c.' The Albany charter cost them \$3500. Prosper M. Wetmore, and G. W. Brown and Mark Spencer, found guilty with Barker, and Thomas Hyatt, sent to the penitentiary, were among the directors—Hyatt being president. In a few months they contrived to put off their moonshine bonds for real money value, to the amount of, say \$250,000. The same Brown, Hyatt, Spencer, and Wetmore next figure as Directors in another extra-infamous chartered concern, the U. S. Lombard Co., Hyatt, president, Wetmore, Vice president, and the active man of business. Sixteen persons paid for the charter, and took \$15,000 worth of the stock each, paying in 5 cents on the dollar to set the dangerous machine agoing, hire puffs, puffers, &c. The Legislature had appointed Scriba! Brown!!! and Hyatt!!! to distribute the stock. To blind the public, the Mayor and Recorder of N. Y. were made directors, in the act, ex-officio, but never once invited to attend. Hyatt, the president, and Jackson the sec'y, swore and recorded an affidavit that the stock (\$300,000) was all paid up in gold and silver, though scarcely one cent in twenty had been so paid—and knowing this state of things it was proved on the trial that Wetmore continued as an active manager, and actually represented the bonds to be good though utterly worthless. He (Wetmore) gave his moonshine checks, with the others, to pay (!!!) for his stock. The checks and a trifle of cash were deposited in the Tradesmen's Bank, which gave the Lombard a \$300,000 credit (!!!) which credit was lent to the Hudson Co., which lent it chiefly to its stockjobbing stockholders. No security, of course,—but the Hudson stock had been puffed up to 10 and 15 of a premium. The Lombard Co., so Prosper says, divided 3 per cent—profits, of course, though all was a dead loss. They lent largely to the knave Malapar. Wetmore swore on Hyatt's trial that he was intimately acquainted with the company's affairs, and, as V. P. paid great attention to its concerns, and tried to borrow \$50,000 for it! Comment is needless. Spicer, Wetmore, Butler, and Van Buren are worthy of each other—add Hoyt and Lawrence as make-weights. The means of the Lombard Co. could nowhere be found—a million of dollars of its paper were palmed off upon the honest, unsuspecting people—the books were never written up—bonds were fraudulently fabricated and sent into market to raise cash upon, but bonds to be returned. General Morgan Lewis gave cash for \$15,000 bonds—a dead loss. Hyatt had but little to do after Wetmore became V. P.—he did the chief business. Why talk

Mr. Alderman Purdy, now Surveyor of the Port of New York, an office worth \$16,000 a year, besides its great patronage, is another of the active, party politicians, who have been long quartered upon the public at the Custom House.

*Alderman Purdy (Surveyor, Port of N. Y.) to Sam'l Swartwout, when about to be Collector.*

"SIR—The undersigned is an applicant for the situation of Inspector of the Customs—he has a large family to support, and, if appointed, will use his utmost exertion to perform the duties of the office properly. For *character and Qualifications* he refers you to his friends and acquaintance. **ELIJAH F. PURDY."**

We the undersigned, being acquainted with Elijah F. Purdy, do recommend him as a man of honesty, industry, and integrity, and well qualified for the office of Inspector of the Customs.

New York, April 27th, 1829.

**JOHN W. HARDENBROOK,  
SAM'L L. GOUVERNEUR.**

*Mangle M. Quackenboss (one of his securities) to Collector Swartwout.*

"NEW YORK, April 27th, 1829.—MY DEAR SIR—I am not in the habit of asking more of a friend than perhaps I am called upon imperiously to do, after the master-strokes of policy, and, I may add, downright chicanery, that has been made use of to defeat you in your justly grounded expectations, which have now achieved their climax, to your honor be it spoken, that *the weight of your character* has borne you triumphantly through, to the utter dismay of your opponents and traducers. I have but one request to make of you, and that is to be guarded how you give any countenance to the petition of Elijah F. Purdy for the appointment of an Inspector of the Customs, *as he is, to my knowledge, a man not to be depended upon, and one that has invariably supported SWAMP, alias regular nomination.* On the other, I take the like liberty of recommending Alexander Whaley, Junior, for the appointment of Inspector, (from the 10th ward,) a man every worthy of your confidence *and patronage*—and his success would be personally gratifying to your friends in this part of the town, and most particularly and personally so to your true friend and brother soldier,

**M. M. QUACKENBOSS."**

*To S. L. Gouverneur, Postmaster.*

DEAR SIR—The bearer, Mr. Whaley, is the gentleman I spoke to you about yesterday—**HE IS A VERY ACTIVE POLITICIAN**, and wants an appointment in the Custom House. You will confer a particular favor on me by giving him a few lines of recommendation to Mr. Swartwout.

Truly yours,

**M. M. QUACKENBOSS.**

Mem. (Hand writing S. Swartwout.)—"Alexander Whaley is strongly recommended by Mangle M. Quackenboss. *He is also opposed to Purdy.*"

This is neither the time nor place to dwell at large on Mr. Purdy's character—while an Inspector his duties, except the political, were, to my knowledge, very easy indeed. Now, himself, his son, and I do not very well know how many more of his relatives are billeted on Uncle Sam, between Pine and Wall streets. He is very useful to Lawrence as a channel of communication with 'the boys,' and as a sort of foreman in the *machine shop*.

One of the most wanton and cruel outrages I ever heard of was committed by Police Officers Colvin and Sweet, on the person of the Reverend John Mulligan. Damages one thousand dollars were given in a civil action, but nothing collected. In the criminal prosecution they were found guilty, and fined \$50 each, a mockery of justice that called forth from Mr. Bryant, through the Evening Post, on the

of equality, a paternal government, and justice, and encourage vice by the successful example of the knave!

In the N. Y. Evening Post, Feb. 7, 1837, we find the Barker, Hyatt, Lambert, Wetmore, Brown and other rascally impostures of the day admirably exposed. "We have seen them," says the writer, "moved by the same wires, and playing upon the same puppets—pledging, hypothecating, and transferring the same worthless bonds—the same worthless notes—the same depreciated stock—and offering the same bankrupt securities—sometimes to bolster up one company, sometimes another—sometimes to forward the secret schemes of one speculator, and at others to practise some new deception upon the believing public. We have seen them daily and hourly resort to all the miserable shifts and expedients of worthless mendacity to protract the vile deception, and involve more innocent victims."

18th of March last, strong, pointed and well merited censures. Mayor Morris turned them out of the police. The Post having directed its censures at Recorder Tallmadge, was informed that he had been really anxious to have inflicted a far more severe and adequate punishment, but that *Aldermen Purdy* and *Vandervoort* overruled him. Sweet, an active, violent party politician, once belonged to the Custom House, and most probably is on pay there now.

Peter Field, an Inspector whom Mr. Hoyt had removed, testified on oath before the Com'rs of Inquiry, in 1841, that Tammany Hall assessed every officer of the Customs, a tax for electioneering expenses. One time he (Field) would not pay—on which Egbert G. Sweet, also an Inspector, said to him "You'll be sorry for this"—went to a book, tore out a list of the Inspectors, &c., saying, "All you damned sons of bitches that don't pay up will be sorry for it. . . . God damn you, I will remember you for it." Soon after this Field was put out.

That there are such reports made by spies among the Custom House Officers, on printed leaves, and in other curious ways and shapes—secret, partial, and often malicious—can be proved, and their authors shamed, whenever it may become necessary.

The Commissioners examined Sweet, who at once admitted that the election subscriptions went to the Tammany Hall Committee—that he had been absent for two or three days in succession, electioneering, as had also other officers—and had had an altercation with Field—but had not to the best of his recollection and belief, reported to Mr. Hoyt the names of officers who did not subscribe to the Tammany subscriptions. As a member of Tammany, Sweet voted against Dr. Rockwell's motion for the proscription of Leggett.

I have already stated enough to show a most infamous combination against the liberties of the country, as stated by Mr. Jefferson—the conspirators being professing disciples of that eminent statesman.

Extract of a letter—B. F. Butler to Jesse Hoyt—Albany, January 18, 1821.—  
"There is every prospect of a stormy session. The Governor [De Witt Clinton], has communicated the documents relative to THE ORGANIZED CORPS, accompanied WITH A VERY ABUSIVE MESSAGE. *This business will injure him greatly throughout the Union.\**

I don't think I shall be an applicant for any thing this winter—certainly not if I can get a living without, which I hope may be the case."

Extract of a letter—Coe S. Downing to S. Swartwout, Collector of the port of N. York.—dated Brooklyn, Dec. 16, 1832.—"Permit me to solicit from you a nomination for our POLITICAL friend John MacGee for the office of Inspector of Customs. Mr. MacGee is personally known to me as a warm POLITICAL friend, and a strident advocate of the present administration."

\* Such are the pious "bucktail," Mr. Butler's language and sentiments relative to Governor Clinton's Message to the Legislature, of the 17th of January, 1821, in which he proved, exposed and condemned the "organized and disciplined hostility" of the federal officers, as exhibited in the State Elections—pointed to General Joseph G. Swift, the Surveyor, (who was afterwards tried for fraud as Vice President of the Life and Fire Insurance Co., in which, though he escaped conviction of crime, he was very blameable,) as having instructed the Naval Storekeeper, Decatur, at Brooklyn, [Is it he of the Chemical Bank lobby?] to organize the whole Navy Yard at the State election, presenting "a scene of undue influence and extraneous intrusion revolting to every friend of republican government. A government of influence and corruption," said Mr. Clinton, "is the worst possible shape which a republican government can assume, because under the forms of freedom, it combines the essence of tyranny." "Slavery," he added, "is ever preceded by sleep—and the liberties of free states are more frequently prostrated by fraud than by force." Mr. Clinton concluded by stating his full persuasion that "when the personal animosities and political agitations of the times are buried in oblivion, he should be considered by impartial posterity as having endeavored to deserve well of the republic by his conduct on this occasion."

Never was a position better sustained by evidence. It has been long before the people. But the evil is much on the increase.

Col. John Decatur to Collector Swartwout.

Portsmouth, May 4, 1829.—Dear Sir—This will be handed to you by my particular friend Mr. John Blunt, lately a resident of this town. In making you acquainted with Mr. Blunt, I take much pleasure. He is a gentleman who has been extensively engaged in business in this place, and in my official duties, as late Naval Storekeeper, have been daily engaged with him in mercantile transactions. For a number of years Mr. Blunt has supplied our Navy Yard, and I have at all times found him prompt, energetic, and faithful in the performance of his contracts; and where it possible for Mr. B. to reside with us, I know of no man whom I would sooner select to the first office in my gift. For the last four years he has actively and openly advocated the claims of our present worthy chief magistrate, and the reputation maintained by Mr. Blunt has been such in this section of the country, that we trust his talents have not been engaged unsuccessfully. Should it be necessary to have an assistant editor, to aid Mr. Noah in warding off the malignant shafts of the opposition party, which will be made on you, in consequence of the general sweep which I presume you intend to make in your office, I know of no more suitable man than this said Col. of mine, and I therefore request that you will add one more obligation I am already under, by giving him an appointment in the Custom House.

Yours with esteem and affection.

DECATUR.

Extract of a letter—*Richard Cornwell*, Brooklyn, Dec. 20, 1832, to the same—  
 “Permit me to introduce to you my friend Mr. *John MacGee*, and solicit from you the favor of obtaining the appointment of one of the Inspectors of Customs for said port. Mr. MacGee is a gentleman of good moral character, industrious habits, and in my opinion calculated to make a useful officer in your department. *From his appearance in public life—and that is coeval with his age—he has been a firm and uniform supporter of democratic principles, and especially in support of our present administration—and IT IS TO HIS EXERTIONS, as much as to any other individual, THAT KING’S COUNTY STANDS AS HIGH AS SHE DOES in the political family of the state.*”

Here is a very fair specimen of the system by which Mr. Van Buren and Mr. Butler control our elections. Mr. John MacGee is sent to receive his pay for expenditure in lungs and labor in King’s County. While the worthy citizens of Williamsburgh and Brooklyn were admiring the almost superhuman exertions of Patriot MacGee, and his long cherished love of Jackson and Van Buren, he was thinking of the \$1500 salary he would gain by it, the perquisites, and how long he could keep them. No doubt the Brooklyn folks, in Nov. 1834, thought that they had decided the election. Quite a mistake! Mr. MacGee, as much as any living man had turned the scale—and a Commissioner to help to distribute the stock of the Atlantic Bank hands him a draft on the Custom House, in full of his patriotism, where it was duly honored.

If the administration of the day can create offices by the thousand, needed and not needed, pay the incumbents out of the proceeds of taxation, and put up places of \$1,000 to \$20,000 as prizes to be gained by the basest conduct of which politicians can be guilty, neither life nor freehold will be safe to an owner—fraud and villainy will triumph, and our country be degraded among the nations. Freemen see to it.

## CHAPTER XIX.

*Ulshoeffer of the Evening Post—his letter to Hoyt—espionage among democrats, Rose, Garniss, Shourt, Winship, Boggs, Kirk, Gross, &c. Westervelt’s pickings. Swartwout’s stealings. “Democrats of our stamp.” Jeromus Johnson. B. J. Mersevole. Abraham Le Foy. The Morning News, Burr, Mexico, Swartwout, and place hunting.*

If any one had told me five years ago, that Henry Ulshoeffer, brother to the Judge, and one of the editors of the Evening Post, had stooped to slander his neighbors behind their backs, to their injury, collect the scandal of the hour for Mr. Hoyt, listen to the private conversation of his friends at the dinner table, and note it down secretly for the Collector, I would not, could not have credited it. But I have copied the following extraordinary memoranda, from the original, in the well-known hand of the subscriber to it, who had been a clerk employed in Ward and Hoyt’s office, and afterwards had an \$800 sinecure clerkship in the Custom House. In those days when religious majorities governed the world, fortunate was he who *professed* the creed of the powers that were. Equally fortunate is that lawyer now whose politics have no variance from those of the “regular democrats,” banded together to dispense the patronage of the country among themselves.

De Peyster, who told the young butcher’s ancestor that Mr. Van Buren “was a damned little rascal,” suffered a loss of \$1095 per annum in his rent-roll. What happened the conservative who exclaimed—“Who the devil is Mr. Hoyt—who ever heard of him?” I do not know. The cartman for the Post was installed into office, under the “judicious tariff” of George A. Wasson. Ricard, the “mere drone,” and the poor clerk who was said to be “the rankest whig breathing,” were ignorant that an informer had undermined them. Mr. Ulshoeffer adopted in practice Mr. L. Hoyt’s convenient rule of injuring people keeping them the while in the dark.

Address—' Jesse Hoyt, Esq.' Endorsement—"Memorandums of H'y. Ulschoeffler relative to sundry applications for office.—17th March, 1838."

"MEMORANDUM OF H. ULSHOEFFER."

"GEORGE W. ROSE, has laid before you an application for *Clerkship* in doors, or the office of *Inspector*, whichever shall appear to be at your disposal. I have already stated to you (and I now repeat it for your remembrance) that he is related to me as *nephew* (by a sister.) He has mostly resided in the seventh ward, where he kept a ship-chandler's store, as successor to my eldest brother, George Ulschoeffler, (they were partners at his death. My brother, in his Will, directed Mr. Rose to go on with the business and pay to my father and mother the full value of the stock at the time of his decease, for their future comfort. Before he accomplished this he became *insolvent*, but acted with good faith to his grand-parents and paid them for the stock (the balance due at his failure being small.) He then procured a release from his creditors by great exertions, and with the aid of some friends went into the 'Grocery business in Cherry street, which made 'both ends meet,' apparently. Last May he removed his store into Coenties' Slip, and took a partner, and attempted to do a better business—but the change that came over the business community overset all his calculations, and he has been wasting his means ever since in necessary expenses. To crown all his misfortunes, his store took fire the early part of March, and his whole stock was lost. Though the stock was covered by insurance, it had been procured mostly upon credit, and must be paid for; and even if it had been otherwise the prospect of doing business for a long while is but a hopeless one. Trade is not likely to revive for a considerable period—and Mr. Rose thinks he must finally give up. Under these circumstances, Mr. Rose wishes to withdraw from his business, and take such an appointment as will afford him a livelihood for a few years.

He is a *Democrat* of our stamp—is pertinacious in argument, and of good education. In the Seventh Ward, he braved the storm of *Whiggery* in 1834, and suffered in his business some on that account. As to his qualifications, I will assure you he is fit for any of the clerkships in doors—he writes a good hand—is good at figures and calculations. As to an out door appointment he is far superior to many who are now in office. This I well know. Mr. Rose has a wife and one child—and is about 30 years of age.

As I have before said to you personally, this is an affair which I feel an interest in—and if you can appoint him you will confer another favor (among others) on me, as well as him. *It will also raise me in the esteem of our family*, who affect to believe there is no chance for him.

My brother the Judge, Mr. Jordan and others, have doubtless spoken to you on this subject.

JOSEPH GARNISS, with whom I have been acquainted for years, is applying for the office of *Inspector*. He is about 33 years of age, and was formerly a clerk of Colemar the Crockery Dealer in Broadway, where your wife has purchased China ware frequently.

Garniss boards with my mother-in-law, and has for several years. He boards in John street (2d ward.) I know him well—his politics are of the right kind. Every day at dinner Garniss and I have a regular conversation with the Whigs at table, and I have found him firmly and enthusiastically attached to the administration.

Although I have no personal interest in his application, I know of no young man I could more cordially recommend to your notice, both on account of his politics and capacity. I place him only next to Mr. Rose in the interest I feel in his application. Owing to change in trade and the necessity of economizing, Mr. Colemar was obliged to dismiss Mr. Garniss, and every department seems to be filled in other places where he has sought for employment.

He is a single man.

JAMES MONROE WINSHIP, a young man, 19 years of age, applies for a Clerkship. He is son of Daniel Winship, butcher of Fulton Market, and resides in the 17th ward. *He is of course a Democrat*, as I know from repeated conversations. You have seen him at your house, and can judge somewhat of his merits. As to my own knowledge of his capacity, I can say no more than that I believe him to be qualified for some situation of small salary. His father has contributed liberally in money to the Democratic party, and it would be securing a large family interest for the administration, if the appointment could be made.

GEORGE W. SNOURT wants the place of *Cartman* to the Public Store in Nassau street. As he has seen you on the subject, and you know his politics, you can form an opinion of his merit, and the expediency of doing what he wishes. He has for some time been the *Cartman* of the *Evening Post*, carrying daily the mail papers to the Post Office. He is a 15th warder, and you can take care of him without any urging from me.

EDMUND J. GROSS is an applicant for the place of *Inspector*. He is of the 10th ward. Of course he is a Democrat. I introduced him to you one day in your office in Wall street. He is a married man of about 45 years of age, judging from his appearance. He is a respectable man, and would, I have no doubt, fill the place creditably. He relies much on my influence in this business, but I have no particular interest in his application.

WILLIAM J. BOGGS is an applicant for the appointment of *Inspector*. I am well acquainted with him—know his politics to be thorough Democratic—and as he depends a great deal on what I say to you, I will be candid enough to say that the letters he has laid before you, signed by Mr. Cambreleng, Colonel Johnson and others, although entitled to great weight, ought not to be conclusive. He took great interest in Mr. Coe's application for the Collectorship, and wrote letters to Washington in his behalf, and with Ely Moore and others, endeavored to defeat your appointment.

He is at present a letter-carrier in the Post Office, and though I at one time felt disposed to do all I could for him, some things have induced me not to urge you strongly in his favor. He is in the 10th ward—and has a family. Mr. Coddington can tell you about him.

The above applicants are all new ones.

Of those who are already in the Custom House I will speak as follows:

JAMES WESTERVELT is a *Weigher*, and has spoken to me about his situation. He is thoroughly loco-foco, and ought not to be removed. There is no objection to his being retained that I know of. He has been in office about eighteen months.

PETER COUTANT is an *Inspector*, and has been in office about a year and an half. I know him well. He is one of the firmest of our party. Old Gilbert Coutant is his uncle. He has been persecuted formerly by the Whigs, and had to abandon his business in consequence. He ought to be retained by all means. He is son-in-law of Daniel Winship.

THOMAS KIRK\* is a *Weigher*, and now in office. He has not spoken a word to me on the subject of his being retained, but I cannot omit the opportunity, while I am making these memorandums, of recommending, cordially, his reappointment.

\* Kirk was removed by Van Ness, but, being a strong friend of Van Buren, was soon restored to office by Lawrence. He is now an *Inspector*.

He is a fine old gentleman, of our politics; and has been a constant visitor at the office of the *Evening Post*, where he frequently discourses on politics—and, of course, his opinions are well known to Bryant and myself. He was once of the firm of Kirk and Mercier, Booksellers of this city.

JOSEPH DREYFOUS is now an Inspector, and wishes to be transferred to the *French floor* in the Public Store in Nassau street, where the pay is the same as he now gets, and which change would enable him (on account of greater convenience in the hours of business) to pay some attention to other matters, and make his income better—or rather enable him to instruct his children in some branches of education. In this store he would be attendant upon the appraisers.

Knowing his politics to be *decidedly Democratic*, I would recommend, if nothing interfered in your opinion, his transfer to the Public Store. He is a good judge of French articles, and might be of service in that department.

Among those who are opposed to the administration, and in office, there is A. S. DEPESTER, (weigher.) He is a thorough Whig, but has urged some Democrats to speak to you for him. Look out for him!

He told Mr. Daniel Winship that "Mr. Van Buren was a dam'd little rascal," or words to that effect—and this too very recently.

SAMUEL B. FLEMING is a *Conservative Democrat* of the rankest sort. He was a strenuous advocate for Coe's appointment to the Collectorship—and said before you was nominated, "Who the devil is Mr. Hoyt? Who ever heard of him?" &c.

HENRY K. FROST, a Clerk, I know to be the rankest Whig breathing, and ought to be removed without scruple.

GEORGE RICARD, an Inspector, has been in office several years, and is, I understand, in good pecuniary circumstances, and could live without the office. He is from the 10th ward. He scarcely ever attends our meetings, and is, in a political point of view, a mere drone.

Let him be removed!

HENRY W\*\*\*\*\*, an Inspector, is a drunken beast, and notwithstanding his politics, he ought to be removed. This is public sentiment wherever he is known. Any one in the tenth ward will say so.

[Here ends the Ulshoeffer Memoranda.]

Mr. Ulshoeffer's nephew, Rose, who "is a democrat of our stamp," and "breasted the storm of whiggery," had an office, and his uncle was "raised in the esteem" of the House of Ulshoeffer. The crockery-man's clerk where Mrs. Hoyt bought her china, I know nothing of. "A large family interest was secured for the administration" by giving the butcher's boy a "situation of small salary." As Kirk's politics were endorsed by "Bryant and myself," after daily discourses at the bureau of the Post, he kept in the saddle. Whether the Israelite, Dreyfous, was transferred to the French floor I have not heard—but it is very probable, as "his politics were *decidedly democratic*." W. J. Boggs, tho' "thoroughly democratic," was no favorite. Him he turned over to Coddington.

James Westervelt, the weigher, was reported to be "thoroughly loco foco"—and was retained.

I do not know the man, but by reference to Mr. Reyburn, President of the St. Patrick's Society, N. Y.'s evidence before the Commission, July 9, 1841, page 638, No. 212 Congress documents, it will appear that this Westervelt, not content with \$1500 easily earned from government, mulcted the merchants heavily where he had the chance. If the law gives a measurer or weigher a certain number of days to make returns to the Custom House, and the merchant wishes sooner to learn the weight or measure, as often happens, he must pay a heavy bribe, compensation, or fee (call it what you will) for the information. Mr. Reyburn received about 98 tons of iron by a Glasgow vessel—asked Westervelt for a copy of his return of the weight, and obtained it on paying a few cents less than twenty dollars! I could have made a copy in about as many minutes. If a measurer is asked for a copy of the weight of a quantity of coal, the by-fee is \$5. Well may Mr. R. exclaim that this is "very demoralizing!" Why, there is no more use for 17 measurers at \$1500 a year each, nor for any one of them, than there is for 17 chaplains to read morning prayers in the barge office—it is merely a poor pretext for rewarding 17 MacGees, Westervelts, Purdys, Spicers, and Ogsburys—"active politicians," or their friends. Secretary Ewing or Forward, reported in favor of abolishing these sinecures, but the difficulties in Mr. Tyler's cabinet caused his resignation. Mr. Walker's forte would rather lie in increasing *such* patronage than lessening it.

The family of Ulshoeffer, as has been seen, kept one eye steadily fixed on their own interest. Jeromus Johnson, member of Congress, Appraiser, and "democrat of our stamp," did not *seriously* differ from them in his views of Custom House Republicanism.

Jeromus Johnson was a sort of a pillar in Tammany. I think I remember him as a legislator on "the regular" ticket as far back as 1812. In 1822 he was chairman of the Committee of the Assembly to which the North River and Fulton Bank charters were referred—but whether he approved of the Commissioners who gave Alderman Rathbone \$500,000 in stock, by which he cleared \$74,000 with-

out much outlay, I have forgotten. I presume he did, for he is a rotten reed—very. Mr. Van Buren knew his man, and he baited a political hook with an appraiser's office; hung it up in the ceiling of the House of Representatives to make Jeromus vote straight when he went to Congress. Jerome kept his eye upon the bait—was in due time nominated an appraiser, though he had been a conservative and signed the Tallmadge pledge. General Jackson and Mr. Van Buren had denounced the practice of tempting Congressmen from the honest and impartial discharge of their duty, by holding up before their eyes embassies abroad, and lucrative offices at home if they would become mere creatures of the executive. Yet the recollection of the unblushing effrontery with which such bribes were given from 1829 to 1841, is enough to sicken the soul of a true patriot. "Will you remove the deposits to the pets?" quoth Jackson to Duane. "Not a dollar," replied the secretary. "Will you resign, and I'll bargain with a secretary who will?" said the president. "I'll not budge an inch from my duty, but you can dismiss me, you know," answered the faithful minister. "Will you take the Russian embassy and retire?" was the next question—but \$9,000 a year of a sinecure, and \$9,000 in a present to start with, had no charms for Duane. He had to be removed—and the supple Taney became a pliable tool in the hands of Van Buren.

Jeromus Johnson was not of the Duane school—he became an appraiser—had to sign appraisements he never saw, or quit;\* even Hoyt declared he had no confidence in such a set of appraisers as Johnson, Lounsberry, &c., nor is it to be wondered at. Johnson had been a regular signer of recommendations for office, to Washington, the N. Y. P. O., Custom House, &c. Here is a specimen—one of Cambreleng's "old and active politicians," pressing for his pay.

"New York, 30 April, 1829.—The Collector of the Port of New York.

Sir—Mr. James Maurice, AN OLD AND ACTIVE POLITICIAN desires a station in our Custom House, and is worthy of THE PATRONAGE of government.

C. C. CAMBRELENG.

W. SEAMAN."

I fully concur in the above.

"Mr. Maurice is a Republican of the old school, and a warm and devoted friend to Gen. Jackson.

JEROMUS JOHNSON—JOHN HILLYER—M. M. NOAH."

Here is another wonderful document—

New York, April 29th, 1829. To S. Swartwout, Esq. "We the undersigned subscribers *do* recommend Abraham Meserole as a *very suitable person* for one of the Custom House Inspectors, and would gladly *see* him appointed, knowing him *too* *always* having been a warm supporter of Gen'l Jackson.

M. M. NOAH,

H. ECKFORD,

WILLIAM S. COE,

JEREMIAH DODGE,

JEROMUS JOHNSON."

Immediately below this, is the following rare and curious request, on the *same sheet and page of paper*.

"Dear Sir—When you have *leisure*, and take up the numerous applications for offices in the Custom house department, I make this memorandum FOR FEAR IT MAY ESCAPE YOUR MEMORY, THAT MR. ABRAHAM MESEROLE IS A NEPHEW OF MINE. His brother Bernard the Alderman of the 10th Ward, was a candidate for the office I fill, supported by a strong petition of Jackson's friends—would take it as a particular favour, IF THERE IS A VACANCY AFTER REMEMBERING YOUR RELATIVES, if you would give him a commission.

Yours truly,

JEROMUS JOHNSON."

The Meseroles were in luck. In 1840, we find B. J. an appraiser. Jerome also wanted his son in, and the Commission of 1841, contains a detail of other queer transactions.

In 1838, Jeromus was a director of the Bank of America, with John Targee, &c.

\* See Executive Doc. No. 212 H. of R. 27th Cong. 2d Sess. pages 233-34.



This pet bank, early in 1834, had \$369,000 in specie, and its needy or greedy guardians, the directors had borrowed \$436,000 of its funds, which, at 3 per cent. a month, would bring them \$150,000 and more yearly.

Courteous reader—had you been at the "Democratic" state convention held in the Presbyterian Church, Syracuse, in Sept. 1836, to nominate Martin Van Buren, and W. L. Marcy, as President and Governor, Collector Lawrence as State Elector, &c., you would have beheld as the New York Custom House representation, Watson E. Lawrence, Elijah F. Purdy, Charles P. Clinch, and Abraham Le Foy, the old auctioneer. And you would have seen Governor Marcy proposed for re-election by Abraham himself, direct from the barge office. He was hired for this sort of work. De Witt Clinton's Chair at Albany occupied by the neminee of a New York Custom House Officer! Friends of State rights where are ye?

New York, 31 March 1829.

Samuel Swartwout, Esq. Respected Sir—Presuming that changes will be made in the Custom House Department, I take this opportunity of offering myself as a candidate for the office of Inspector of the Customs. As to my moral and political character, as well as to claims and capability, I beg leave, Sir, to refer you to Mr. John A. Hardenbrook, Judge Herttell, Gen. Bogardus, Col. John L. Graham, Col. Wm. L. Morris, Hon. C. P. White, whose recommendations I can obtain, together with a majority of the Jackson members of the Common Council. If appointments are to be made in reference to POLITICAL SERVICES (especially to the Clinton and Jackson cause) and personal AND FAMILY considerations, I think I can satisfy Mr. Swartwout, that I am not deficient in either qualification. I presume that Mr. Swartwout is aware that Henry Abel and Abraham Bowdine, both Custom House Insp., are mere shadows of John Targee.

ABRAHAM LE FOY.

Mr. Cornelius W. Lawrence's course in the Custom House, may be guessed from the facts stated in this volume. He may talk "Jefferson," but he'll out-Herod Herod in the way of political corruption. See if he don't!

In a letter signed by Cornelius W. Lawrence, Thomas Herttell, John Lorimer Graham, and George D. Strong, addressed to S. Swartwout, and dated 8th Dec. 1834, at N. Y.—they say—

"Mr. Le Foy from that time to the present has been an active, zealous, and efficient advocate of democratic principles, and has very materially aided in sustaining the present administration, and we believe that no individual who has been selected as an Inspector of the Customs has presented stronger personal or political claims to your favorable notice."

That *honest and steady* patriot, Wm. M. Price, *privileged* to plead for the oppressed, according to law, thus adds his testimony, (Dec. 10, 1834.)

"I am not acquainted with any individual who presents stronger personal and political claims to your consideration than Mr. Le Foy.

His appointment would afford great gratification to a great number of your personal and political friends, and confer an especial favor on yours truly,

WILLIAM M. PRICE."

The N. Y. Morning News is edited by J. L. O'Sullivan, and the establishment is upheld as the mouth-piece of Messrs. Purdy, Lawrence, Bowne, Allen, Wetmore, and the "regular" Tammany Hall clique, who issue their mandates officially, over the editorial head. It presented the ludicrous appearance, not long since, of Tammany Hall proclamations, signed by Purdy, the Custom House Surveyor, as Chairman of the political club at that tavern; and immediately under, in the very same column, the most spiteful attacks on Mr. Van Ness, then collector for interfering in politics!

"The removal of Mr. Van Ness," says the Tammany Hall Committee, thro' the News of June 26th, 1845, was "an act of self-defence against a long course of insolent, corrupt, and aggressive interference on the part of the Custom House in all our local politics." The reader will already have seen that a New York Collector is a political agent of the powers at Washington, placed in the Custom House at New York, for the purpose of aiding in carrying all elections in that vast Commercial Capital, whether City, State, or Federal, for the party of which his employers are the leaders. And yet Messrs. Wetmore, Butler, Bowne, Purdy, O'Sullivan & Co., in the above manifesto, justify Mr. Van Ness's removal, and the appointment of the Old Auctioneer, Lawrence, on the score of political meddling.

In the same paper they accuse his brother, General Van Ness, the Washington banker, with supporting Burr. Was not Mr. Van Buren, Burr's clerk? Was not Samuel Swartwout, Burr's agent? Is not the reflection on Gov. Van Ness a censure on Andrew Jackson for appointing Swartwout, knowing that fact, and on President Van Buren for continuing him a twelve month after his accession?

The history of Col. Burr's attempt to dismember the Union, levy war against his country, seize certain foreign possessions, and found in the South and West a new empire, more friendly to England than to his own free home, is not new. His trial, disgrace, self-banishment, and retirement from political life, are facts well known. Samuel Swartwout, who, with Erick Bollman, was arrested in the Burr conspiracy times for high-treason, was a steady follower of Burr—and General Wilkinson (I quote the Richmond Enquirer of Sept. 1807) testified on Burr's trial at Richmond, that Mr. Swartwout, then a bold, manly, athletic youth, was actually concerned in the plot.

General W. swore that Swartwout had called at his head quarters, at Natchitoches, on the 8th of Oct. 1806, with a letter of introduction from Jonathan Dayton of N. J. and that he said he had been in company with Peter V. a son of Matthias Ogden, who had proceeded onward to New Orleans. Colonel T. H. Cushing, who was with General W. when Mr. S. arrived, having retired for a few minutes, Mr. Swartwout slipped from his side pocket, a letter and packet which he said he was charged by Colonel Burr to deliver to him (Gen'l W.) The letter was produced by Gen'l W., and was a formal introduction of Swartwout by Aaron Burr, dated at Philadelphia in July. The secret communication from Burr to Wilkinson adverted to the intended expedition, and referred to Swartwout for further intelligence, who [said Gen'l W.,] stated "that Col. Burr, supported by a numerous and powerful association, extending from New York to New Orleans, was about to levy an armed force of 7000 men, with a view to carry an expedition against the Mexican provinces"—that New Orleans was to be seized—"that naval protection would be had from Great Britain—that he (S) was to meet Col. Burr and General Dayton at NASHVILLE, on the 20th of Nov.," &c. The envelope also covered a letter to John Peters, Nashville, and a letter from General Dayton to him (Wilkinson), also partly in cypher, asking "Are you ready? Are you and your associates ready?—Wealth and Glory, Louisiana and Mexico," &c.

Col. T. H. Cushing of the 2d U. S. Infantry, deposed that he was shown these letters by the General, the morning after Mr. S. arrived. As to Messrs. Burr and Dayton's autographs there could at least be no mistake—they were well known.

On the 26th of Dec., previous to the trial, Gen'l W. made affidavit at New Orleans to the leading facts, and swore that he believed that Swartwout and Ogden were parties to an insurrection against the laws of the U. S.—and the General's appointments in Canada, &c., afterwards, are the best possible proofs that Jefferson, Madison, and their friends in Va. fully believed him.

The newspapers of N. Y. reported that Mr. S. had assassinated the General for thus testifying, but he was too brave to do that. He challenged him, and when Wilkinson replied "that he held no correspondence with Traitors or Conspirators," he posted him as a *treacherous*, perjured poltroon.

Major Morgan Neville, of Cincinnati, the bosom friend of S. was a Burr man in these days. He married a niece of Capt. Heth of Richmond, one of Burr's securities. Neville and Swartwout and Andrew Jackson were early friends. Last war all the Swartwouts fought well. Samuel married Miss Alice Ann Cooper, in New York, in Dec'r, 1814. He was a primitive Jacksonian, and called the first Jackson meeting ever held at Tammany. He toasted Jackson as "an honest man and a hero," adroitly secured the interest of Ex-President Monroe and of his nephew, S. L. Gouverneur—kept his eye steady on the Collectorship, as lesser place-hunters do on lesser offices—talked of patriotism and thought of place—got it—carried off or allowed to be embezzled, a million and a quarter of dollars, and is now said to be very poor. When Hull was employed, government were at fault—He was too old. Had he been shot after trial, as justly sentenced to be, other incapable or feeble officers, who did much mischief last war, would have been kept out of the way. So with Swartwout. A ruined speculator and his comrades ought never to have had the Customs—nor ought his crimes to have been passed over, by collusion, as they were. He was keen and knowing, and, two to one is only *acting the poor bankrupt*.

## CHAPTER XX.

*Swartwout and Texas—How Texas got settled. John Y. Mason's speculations. A Swartwout memoir suggested. Swartwout and Van Buren. Tammany Hall and Van Ness. Inspectors sent from Albany. Corrupt political appointments—J. M. Wheeler, &c. The Custom House Divan. Old Job Furman. Surveyor Attwood.*

Major Swartwout was a shrewd, artful man, and as he had got a powerful position by ministering to the great man above him—he resolved to keep it by studying his humor. That Jackson was resolved to have Texas, and not ill-disposed to receive a still larger slice of Mexico, he knew far better than his neighbors—and having no money of his own, he applied that of the public to the settlement of Texas. In due time much more will be brought to light—meantime the following letters will speak for themselves—they need no comment:

Collector Swartwout, New York, to Col. Frost Thorn, Nacogdoches, Texas.

New York, November 11, 1835.

Dear Sir—General John Y. Mason, has been requested, by me, to deposit with you a certificate of grant of ELEVEN LEAGUES OF LAND IN TEXAS, which I purchased from him, and which he has kindly agreed to procure to be recorded at Nacogdoches, and get the commissioner to name a surveyor for. I have also given James Morgan a letter or order to receive the same, which order I will thank you to honor on presentation, as Mr. Morgan is to locate the same for me, and is a citizen of Texas.

Collector Swartwout, New York, to Col. Frost Thorn, Nacogdoches, Texas.

New York, 11 February, 1836.

My Dear Sir—I received a draft from you yesterday for 1000 dollars at 60 days, which was promptly accepted, but there was no letter of advice accompanying it. This I regret, as I do not know what it is for, although I presume it is intended for the Texian cause. If so, please to inform me by return post—General Mason leaves this for Nacogdoches tomorrow morning. He goes on for the purpose of locating his grants, I have requested him to speak to you about Carahalls business, about which I will thank you to write me; I have paid your third draft, or rather my third note due 28th January. My interests are now very large in Texas, and I pray you do all you can to sustain Mason. You must not forget that *we* who have hitherto purchased and paid for our lands were in a great degree, the cause of your getting so many gallant men into your country. I received a newspaper of your place of the 2d January, this morning, and thank you for it. We all feel that Texas is now *Independent*. But my dear sir, do not let your new government run into extravagancies, let them confirm all the land grants, and it will give confidence to those who may become purchasers, or residents hereafter. Let them decree that holders in the states shall have their rights preserved, and they will increase the value of their public domain. Let them also authorize foreigners or people in the states and in Europe, to hold real estate as if they were on the soil. Nothing would so far give character to your country.

As you are an old and respected citizen, your advice ought to have weight. Therefore speak.

Do my dear friend let me hear from you what is my atogue *now* worth, that is when you shall have made and maintained your independence? Write me all about that and other matters—

Believe me very sincerely yours,

SAMUEL SWARTWOUT.

As far as I can learn their early history, the brothers Swartwout began life as working painters. They kept an oil, paint, and dye-stuff store in New York, at the commencement of the war of 1812, and behaved very well in that contest. Their biography—the good and the bad of it—if they would entrust their papers to some able and discreet friend—would be a very interesting, curious, and pleasant volume. Of life, they tasted much of the bitterness—much of its sweets—the romance and the sad reality—the pains and the pleasures. Look at S. Swartwout's letter to

Hoyt, of March, 1829. He would be the man for a family biographer—if as candid to the public as he was there to Jesse.

Texas has done more for northern politicians than people are aware of. It upheld Swartwout—raised Lawrence, Morris, Marey, Ritchie, &c.—and is in the mouth of every office-beggar of note who enters Washington, save and except a few of Mr. Van Buren's folks, who went on t' other tack to catch votes in their particular localities.

Mr. Van Buren\* tried to get one of his creatures into the Custom House in 1829, but Swartwout outgeneraled him—this caused a coolness, but it did not last long. A mutual friend persuaded them to dine with him, bury the hatchet, and play into each other's hands. They did so—and after that John Targee and his folks began to have an influence and get their friends appointed to snug berths. Next year Swartwout got mad at Van Buren, quarreled with and called him “a d—d contemptible, little monkey”—all of which the latter forgave and politely invited the former to serve out his term.

Messrs. Lawrence, Wetmore, Purdy, O'Sullivan, &c., seem to have cherished far more affection for Hoyt and Swartwout than for Van Ness, of whom they say is the number of the *News* I have quoted, that “when in town he spends a much less number of hours in his office than any of his predecessors have done; and that during those hours he is with much difficulty accessible to merchants—busily employed, we suppose, in turning round and round the wheel of appointments—in a somewhat superfluous regulation of the politics of a ward—or a menacing inquisition into the reported disaffection of a trembling inferior.”†

“There will not be very many changes in the Custom House till the fall elections,” said a confidential friend of Mr. Lawrence, to me, a few days since. “Those who do their duty then will assuredly not be forgotten.”

John W. Wheeler, an Inspector under Messrs. Hoyt and Swartwout was removed by Mr. Curtis. Mr. Van Ness reinstated him. His original recommendation to Swartwout was signed by John Lovett and his colleague, as aldermen of the 13th ward. They told the Collector to “place him in a situation to render much service to the party”—and represented him as “having been long known to us as ONE OF THE MOST EFFICIENT ELECTIONEERERS IN OUR WARD, in support of General Jackson and the State.”

If such appointments as this are not treason against society, what can be? Is this the John W. Wheeler who voted in 1835 for Dr. Rockwell's motion at Tam-

\* There was evidently the best possible understanding established between Mr. Swartwout and the Albany Regency as early as 1835, for in that year and 1836, Marcy, Wright, Croswell, J. Van Buren, Corning, &c., are liberal in their letters to him, recommending candidates for his Hospital. Seymour and many others thus got places. On the 23d of March, 1836, Edwin Croswell (the *Argus*) recommends Barnum Whipple to his “most favorable consideration”—assures him that his (W.'s) “pecuniary circumstances render it peculiarly desirable at this time” that he should be admitted into Swartwout's Poor House—and thus sums up his character—“His political qualifications are equally unquestionable; being a uniform Republican of the Old School.”

Mr. Attorney General Van Buren thus endorses Whipple on the same sheet:

“Samuel Swartwout, Esq.—Dear Sir—I fully concur in the foregoing [Croswell's] recommendation of Capt. Whipple, and as he is a very clever fellow, to boot, I hope you will be able to do what he asks.

Yours truly,

J. VAN BUREN.

Albany, March 23rd, 1836.”

Of course, S. S. could not resist “a very clever fellow,” backed by a V. Buren and a Croswell. W. was duly installed as Inspector, at \$1098 a year—his duties being, employed I presume, on the political side of the department, for which his “political qualifications” and a “uniform” step in the ranks of fashion at Albany, had doubtless prepared him. I believe he chews his oats quietly, for I never saw him any where conjugating the verb “to do,” except in the nation's biennial blue book—head “Salaries.”

† “We have seen,” continues the *News*, “numbers of sound and respectable Democrats, with families dependant for bread on their places, actually turned abruptly out, without the slightest impeachment, or possible impeachment, of their faithful performance of their duties; while great numbers have been retained or appointed, both of Whigs and persons fairly entitled to be termed the scum of our population, skimmed up from the pot-house, the brothel, the gambling table and the fighting ring. . . . When has it ever before been known, under any other administration of the Custom House, that a ship master, receiving an Inspector on board, has actually, from the notoriety of the bad character of the latter, set one of his crew to watch him, while he sent to the proper office to insist on having another officer to discharge his cargo?”

The scum of society, “skimmed up from the pot-house, the brothel, the gambling table, and the fighting ring”—the notorious inspector and the “vagabond rowdies” remain in office under Lawrence. Very few of them have been moved; yet Wetmore, Purdy, Tammany, and the *News* are silent as the grave! All they desired was the removal of Van Ness, the control of the merchants, the fingering of the cash, and the command of “the organized corps.” Every Congressman-elect of the State and party—every congressional district in Ohio, New York, and Michigan, petitioned Mr. Polk to remove Van Ness. This, reader, is organized Van Burenism.

many Hall, denouncing Wm. Leggett and proscribing the New York Evening Post?\*

Duly endorsed as "a warm supporter," by M. M. Quackenboss, one of the Collector's bail, Mr. McCorkell comes forward to be recompensed for his "sacrifice of time and money. \$1095 a year, and perquisites, are my price, quoth Mr. McCorkell.

"To S. Swartwout, Esq.

April 13, 1829.

Sir—Having always been a Republican, and, having zealously advocated the Election of Andrew Jackson to the Presidency—for the advancement of *which* I have made much sacrifice of *time and money*—I feel myself entitled to present *my claims* before you, confident that you will do justice to me, (though but an humble individual,) who have worked in the same *good cause* in which you have acted so conspicuous and successful a part.

I ask respectfully to be appointed one of the Inspectors of the Customs for this port"—&c.

CHARLES McDERMOT.

John Morris, "an ardent and capable politician," applied for his share of the spoils to Collector Swartwout, in 1831, immediately after the close of his (Morris's) political exertions at the fall election of that year. He was recommended by the signatures of John Yates Cebra, Daniel Jackson, C. P. White, Cha's Henry Hall, Walter Bowne, and Jeromus Johnson. Alderman Cebra wrote his friend Swartwout as follows:—"New York, Nov. 21, 1831.—Mr. Morris has for several years been one of our most active and efficient Jackson republicans in the first ward—and is now **ACTIVELY AND ZEALOUSLY engaged with us.**"†

\* Here are more specimens.

To S. Swartwout, &c. 28 April, 1829.—"I have been throughout decidedly Jacksonian.

ISAAC MCGAW."

"Mr. Isaac McGaw, who wishes the place of Inspector, is, as I understand, an original friend of ours. J. OAKLEY."

"The Targee dynasty has long enough filled these offices with broken down politicians, &c.

GEO. W. WILSON."

Samuel Swartwout, Esq.—Dear Sir—Mr. George S. Messerove of the 11th Ward is an applicant for the appointment of Inspector of Customs. Mr. M. has been a *strong party man*, and is at present an *ardent supporter of the present general and state administrations*, and I have no doubt his appointment would give general satisfaction.

WALTER BOWNE.

New York, April 30, 1835.

Extract from the application of John I. Moore of Flatbush for office, dated April 30, 1829. [His petition was endorsed by Al'm. M. Valentine, S. M. Fitch, &c.]—"Your petitioner has always acted with the republican party. And for the considerations aforesaid [that and his grand-father's patriotism] he does sincerely hope and trust that he may now, **IN SOME MEASURE BE REWARDED**, with a small situation, by this just and enlightened administration."

New York, 28 April, 1829.

To the Collector of the Port of New York.—Sir—The bearer, Mr. Benj. C. Burdett, WAS **ZEALOUSLY ENGAGED IN OUR LATE CONTEST**, and *deserves the appointment he solicits*, which I understand to be that of an Inspector. I am, &c.

C. C. CAMBRELENG.

[To the same.]—New York, 22d May 1829.

"Sir—Having been during the late Presidential contest AN **ACTIVE AND ZEALOUS FRIEND** of General Jackson, AND **HAVING DONE MY UTMOST** in his support, I take the liberty of soliciting from you the appointment of an Inspector of the Customs for this city. . . . ARCH. MCCORKELL."

This civil request is favorably endorsed on the back by Campbell P. and Robert White, James McBride, Al'm. Bell, & Co., Ogden, Ferguson, & Co., &c. Comment is surely useless.

† Francis B. Fitch was, in 1826, a lottery-office keeper in Wall street, and had been a partner of *Jesse Hoyt*. It so happened that his was the first name called on the jury on the first trial of Jacob Barker, Wm. P. Rathbone, Mark Spencer, Joseph G. Swift, George W. Brown, and their colleagues, for a conspiracy to defraud the public, in the matter of "the Life and Fire." Fulton and Tradesmen's Banks, &c. Mr. Maxwell objected to Fitch, that he was *implicated*, and had an interest contrary to justice, through his connection with Castle Garden, Antoine Malapar's Marble Bank, and the Life and Fire Company, and that he was a non-resident. Triers were appointed, Fitch sworn a juror, the jury did not agree—(although the next jury did)—and the next we hear of Fitch is in the Blue Book, as one of Major Swartwout's "organized corps" of Inspectors, with excellent "political qualifications," as Crosswell would say. Jesse Hoyt and B. F. Butler contended, as counsel for the accused, that Fitch was the right sort of juror—but, as Collector and District Attorney, these worthy functionaries were prepared to degrade the whole mercantile body of New York as unfit to sit as jurors in the courts of their country.

As a specimen of the practice in the New York Custom House, let me refer to one of Mr. Hoyt's secret books, noting the results of a meeting of the *heads*, and their informers and advisers.

1st ward—Now in office.—W. F. Boyle—Henry Leveley. In the opposition. R. John Everett—conservative—with us now.—6th ward. Jos. Dreyfous, "conservative, *now with us*"—"a great mistake—good."—8th ward. John C. Neibaur, clerk—R. C. Morris—both doubtful—never at a meeting of the ward before the last. Robert S. Newby, clerk, voted the democratic ticket. John J. Earle, conservative, but *with us now*.—9th ward.—Joseph Gideon, do. do.—Wm. Cairnes, lukewarm. Isaac Bluzome, doubtful.

## CHAPTER XXI.

*An army of Demagogues. Blair and the Globe—a press bought for him by Noah, &c.—his career. Some facts about the Albany Argus—Messrs. Butler and Van Buren's letters. Wm. Leggett. Van Buren extols Jackson in '44—his press traduces him in '24. A Regency Team. Hoyt and the Times. The Standard. Election Times.*

I have already exhibited enough of the machinery by which Mr. Van Buren moves his "organized corps," to enable the reader, to judge whether the following commentary, by the Charleston Mercury, is not one of the most appropriate that could be made. In 1829, Mr. Van Buren reached Washington—Mr. Blair became the favorite. His paper came into existence, as he said, at the command of one president, was continued by a second, and ordered out of existence by a third.

[From the Charleston Mercury.]

"The tendency of the *Globe* has been to make the interests of party usurp the place of its principles—and a very obvious result has been to convert all the offices and expenditures of the government into a grand party treasury, out of which an army of demagogues is to be fed. Such an army exists on both sides: a vast multitude who create nearly all the disgraceful turmoil of our elections, and whose sole interest in politics is notoriously the hope of office; who demand proscription when they are out and denounce it when they are in; who scruple not in the face of day to transfer their violence and noise from one party to the other, and by their shameless pretensions to principles bring every good cause into contempt, and lead too many to conclude that all party contests are only a disguised struggle between demagogues for the gains of office. Who does not see that this is becoming more and more the case, and that our elections are assuming the character of a strife of mercenaries for pay! We will not stop to argue that the Government of the country is thus corrupted and the public liberty endangered; that is manifest.

The affairs of the Government will come to be distributed among men who have no faith or honor—whose life is a glaring and shameless lie—who have already sold themselves for gain, and to whom the worst pecuniation would scarcely be loss of character. And in most cases, these demagogues are unfit, from ignorance, for the duties of office. The education of a street politician is truly a notable preparation for the business of an accountant. And this incompetency has led and will continue to lead to the multiplication of offices. Thus because the country is first wronged by putting idle and ignorant men in office, it must be further burdened by an increased expense, as a remedy. Thus, to make 'party services' the qualification for place, is to insure that we pay an enormous price for a very bad article."

Is not the above, a true commentary on the facts I have condensed in the two last chapters—and if so, what ought to be done about it?

Mr. Van Buren affirms that such a state of things is the best we can have. In his letter of condolence with Blair and Rives, dated April 24th, 1845, he asserts that such an establishment as their *Globe* had been, at the seat of the federal government, was of "vital importance" to the success of our cause, is incapable of exaggeration. It will be hereafter seen that he uttered similar sentiments many years before, as to the importance of having an *Argus* and a *Croswell* at the seat of the State government. For my part, I think that the hoist he gave to the *Globe* and its covetous managers has, thus far, been the best act of Mr. Polk's administration.

Francis P. Blair of Kentucky was, like Amos Kendall, a strong supporter of Mr. Clay until 1825, when he joined General Jackson. He was poor—owed the United

10th ward, Ed. J. Gross, (application for office.) Mem. "Belongs to the Methodist society."—13th ward, M. B. Campbell—not thorough—late a convert. 17th ward, P. P. Livingston, conservative—with us now—George W. Matsell (no remarks.)

Henry C. Attwood. Hoyt's note—"very strong papers."—Levi D. Slamm. J. Lawrence Benedict—by 11 M. C's.

When the attempt was made to defraud the Tradesmen's Bank, in 1836, a number of mock directors were voted for, one share each having been previously entered in their names. One of these was Job Furman. Whether he acted on the appointment I know not, but after Eckford became a surety for Swartwout, Job got \$1095 as a pension, under the name of Inspector. Mr. Van Ness removed him a few months since.

Henry C. Attwood kept tavern at the corner of Allen and Houston streets. Had a talent for managing rowdies, organizing mobs, &c., was delegate to the Van Buren Convention of 1843, at Syracuse, well off as to worldly means, and now keeps the tavern known as Hermitage Hall. In the fall of 1843, the Tammany clique set him up as their candidate for high sheriff of New York, and thereby insured the election of Mr. Jones, the Whig candidate. He is a native of Connecticut, and in May, 1837, applied to Swartwout for an inspector's birth, being "out of employ, with a dependant family." His character was then endorsed by Alderman Lee of the 10th, Cornelius Murray, and M. M. Quackenboss—also by W. H. Ellis, Collector, New Haven. Mr. Tyler nominated him as Surveyor of the Port, and he held that lucrative office for a few months, but the Senate refused to confirm him, Mr. Polk declined to renominate him—Alderman Purdy supplanted him—and he had to take \$1500 a year as a Gauger, another person having been displaced to make way for him. His brother got an Inspectorship—and betwixt the \$2595 from the public and their tavern the family of the Attwoods continue to thrive. Mr. H. C. A. is a very serviceable instrument in the hands of such men as I have described—nor will his scruples be at any time found to stand in the way of his interest.

States Branch Bank at Lexington, paper on which was his name and the names of other persons, amounting to \$21,744—and when some \$2000 had been paid on one of the notes, he was released for a fee of \$37, and the payment of another man's obligation for \$200. In 1830, therefore, he was insolvent.

He came to Washington in 1831, without types or press—received Mr. Van Buren's missive to the leaders of the party at New York—was set up in Washington, and his press paid for by Messrs. Noah, Swartwout, Hoyt, Bowne, Jackson, Hamilton, Gouverneur, and Cornelius W. Lawrence. Richly have they been repaid for the outlay—Mr. Blair speedily rose from poverty to the possession of immense wealth—resided in a splendid mansion—gave dinners and suppers to presidents, foreign ambassadors, cabinets and congressmen in a style of oriental magnificence—played on his organ (the *Globe*) the party tunes his employers required—and no others—where they enjoined silence he was mute—if they bade him attack vice or virtue—the good or the bad—he was ready. No tiger could be more fierce—no wolf more blood-thirsty. He could take any part. But to his keepers he was tame—a word from them awed him into instant stillness. The Committees of Congress, of the Van Buren party, carved out immense jobs—\$500,000 in the Documentary History alone—the work of Congress and the Executive, worth \$40,000 a year was most times in his hands. In a luckless hour he was bidden to tell, or Amos Kendall told, thro' his columns, that Governor Hill of New Hampshire was “the mere tool of the administration” of Mr. Tyler—and then, if not before, were family secrets disclosed, and the unjust and enormous prices, and the vast and profitable contracts, of the Van Buren wire-worker at Washington, revealed to the world. Mr. Blair was soon able to bet heavily on elections, and it is said that he did so—able to endorse notes and make pecuniary advances to influential congressmen—aye, and to lend \$10,000 to his patron, General Jackson.

When Mr. Hoyt broke down—when the Manhattan Bank affair happened—as well as on other similar occasions, where his party suffered, Mr. Blair maintained a decent silence—but when Morris and Varian had caught a paper parcel at Pierce's, which Hoyt, Lawrence, Allen, Edmonds, and Butler sat in judgment upon, one would have supposed the *Globe* a moral earthquake. Yet its owner's eye, like Croswell's, was ever on the spoils—his avarice, like that which filled Pizarro when he broke faith with the Inca, Pickens in Congress called him “a galvanized corpse.”

New York, Saturday, 18th February, 1832.

“To Jesse Hoyt—M. M. Noah—Samuel Gouverneur—Walter Bowne—William P. Hallett—Samuel Swartwout—Cornelius W. Lawrence—James A. Hamilton, and others.

Gentlemen—When F. P. Blair, Esq. was in this city, you each subscribed a certain amount, for the purpose of furnishing him with a Printing Press.

At the meeting of his friends on that occasion, the subscription was short of the amount required—but I well recollect the *Pledge* you made—which was—that the Press should be furnished and paid for—and that he might rest assured of its being forwarded as soon as it could be procured.

The press has been sent to Mr. Blair, under the direction of some of the subscribers—and \$1370 paid on account of it—the balance due the maker is \$652 50 cents, for which he has commenced suit against me.

As I did not either contract with, or have any thing to do with Mr. Hoe, the maker of the Press, except my exertions in collecting the subscriptions, and paying them over, I shall of course resist the payment of it.

*It appears to me that this matter ought not to be subjected to an investigation in a Court of Justice.* Mr. Hoe should be paid for the Press—and I think the gentlemen who pledged themselves to Mr. Blair, are, *in honor bound*, to pay immediate attention to the subject.

I therefore suggest that you meet for the purpose, at the Bank Coffee House, on Tuesday evening at 7 o'clock.

Yours very respectfully,

DANIEL JACKSON.

The History of the *Albany Argus* is longer than that of the *Globe*, but the aspect of the northern official differs only from that of the southern, in its adaptation to a

different purpose, the *management* of only a single state. Mr. Jesse Buel was its first proprietor, and he sold out to Moses I. Cantine, a brother-in-law of Martin Van Buren, and Isaac Q. Leake his partner, who had been cashier of the old Buffalo Bank, and left it when the brokers were redeeming its notes at a shilling to the dollar.

Mr. Cantine was an attorney—Leake had been bred in a bank—of printing they were profoundly ignorant—but party machinery placed them at once in the lucrative position of state printers\*—the Regency were all of them ready to act as editors, each man writing on that which most interested him. Cantine was a state senator, and had voted for banks and insurance companies wholesale.

Senator Van Buren to Mr. Jesse Hoyt.

Jan'y 31, 1823.

My Dear Sir—I am overwhelmed with the account of poor Cantine's death. I knew that nothing from me can be necessary to secure your zealous attention to Mrs. Cantine's interest, if any thing can be done for her. I have written to Mr. Hoos to be at Albany; you will find him a most useful man. I have also written to Mr. Buel, which letter I want you to see. Among you all you must do the best you can. If any thing can be done for Mrs. C. I hope and believe *no republican* will oppose it. **MR. HOES AND MYSELF ARE RESPONSIBLE TO MR. BUEL FOR \$1500 of the last payment.** If nothing better can be done, *no person ought at least to be appointed who had not previously purchased the establishment—and under no circumstances ought any one to be appointed who is not a sound, practicable, and, ABOVE ALL, DISCREET republican.* **WITHOUT A PAPER THUS EDITED AT ALBANY WE MAY HANG OUR HARPS ON THE WILLOWS.** *With it, the PARTY can survive a thousand such convulsions as those which now agitate and probably alarm most of those around you.* Make my sincere thanks to Mr. Duer and Mr. Sutherland for their kind letters, and tell them I will write them soon.

In haste, yours truly,

M. VAN BUREN.

Mr. B. F. Butler, to Mr. Jesse Hoyt.

"Albany, June 5, 1824.

My Dear Sir—You have by this time heard the consummation of the Governor's folly by the issuing of his proclamation. . . . You will see that the *Argus* business has been at last accomplished. I was obliged to become responsible for the moderation of the New York paper, and to execute a Bond of Indemnity, &c. I have written to Hamilton for it. Do see that it is sent soon.

Yours ever,

B. F. B."

Mr. Noah, in 1839, mentioned that he was nominated as State Printer by a Democratic Legislature, but that Mr. Van Buren, being opposed to him, "set Jesse Hoyt and other tools at work and defeated him, and brought up Croswell" from Catskill, who was elected. Mr. William Leggett gives us a graphic sketch of Croswell and his confederates—very. Here it is—

"They are a set of creeping, dissembling creatures, who have grown fat on the drippings of unclean bank legislation—a knot of cat-paced, sly-faced, cringing, artful fellows, who go about among the members of the legislature, smiling, and bowing, and shaking hands with all they meet, and disclosing their schemes in broken whispers, eked out with knowing shrugs and nods—they are men who strive to turn all political questions into a lever to raise up and set in motion their own nasty, selfish projects. Of this CABAL we believe the state printer to be the soul and center."

Leggett's course alarmed Van Buren, and he wrote to Butler and others to do their utmost to conciliate him in a quiet way.

\* The *Columbian* of March 3d, 1821, states, that Messrs. Hosford of Albany offered to do the public printing for one third less than the Legislature afterwards agreed to pay Cantine and Leake, and Mr. John C. Spencer was for letting them have it; but Ushoeffer had previously drilled the party, and \$7000 of additional profit thus went into the pockets of C. and L.

In February, 1821, says the *Northern Whig*, "Martin Van Buren having procured himself to be made Senator of the United States by the legislative caucus—(for the majority were against him)—then directed the following appointments to be made, viz: J. I. Van Allen, the half brother of Martin, Surrogate, and to be the assistant judge of the common pleas; Martin's brother, Abraham Van Buren, to be clerk; a Mr. Wilcoxson, who is the partner of Van Allen, who is the brother of Martin, to be District Attorney; Cornelius Hodgeboom, who is the brother-in-law of Abraham, who is the brother of Martin, is an affidavit commissioner; Barnet Hoos, who is the brother-in-law of Martin, Deputy Sheriff for Kinderhook; and all these in the County of Columbia. Then near by in Albany, Moses I. Cantine, the brother-in-law, also, of Martin, is state printer; and Benjamin F. Butler, the partner-in-law of said Martin, is District Attorney. Truly, the King's poor consins are tolerably well provided for."



Mr. Van Buren to Mr. Hoyt.

Dear Sir—Please to ask *Mr. Leggett* to send me his paper. Please also ask the editors of the *Evening Post* to send their paper here. It now goes to Albany.

Yours truly,

M. VAN BUREN.

[Written on a sheet of gilt post, from Washington, Dec. 1836.]

On the 12th of March, 1844, Mr. Van Buren wrote to Gansevoort Melville (then electioneering for the office he has since got, or for any other,) that "Driven from ill-fated Ireland, the family of General Jackson sought refuge in this now happy country. . . . The future hero and the statesman 'swore eternal enmity to every kind of tyranny over the mind of man.' How faithfully that noble vow has been kept will be recorded in the pages of his country's history," &c. I have not room to copy Mr. Van Buren's elegant and energetic letter—but as he knew General Jackson's character just as well in 1824, when he was endeavoring to put him down and Crawford up, how came he, Croswell, and Butler, (for I have traced the ownership to them,) to talk *thro' the Argus*, in such a strain as the following?

"The political notions of Mister Jackson cannot be mistaken. Under the artful disguise of elevating men most conspicuous for their probity, virtue, &c., he is bent upon the destruction of the republican party."—*Argus*.

"They need only to be read and reflected on by republicans to be discovered to be altogether unreal and worse than visionary. They make a mockery of the lives and conduct of such men as Jefferson and Madison."—*ib.*

"The fact is clear that Mister Jackson has not a single feeling in common with the republican party. The reverse of that—he desires, and makes the merit of desiring, the total extinction of it."—*ib.*

There is hypocrisy somewhere in this. Who can explain it?

On the 17th of February, 1834, the *Argus*, in the name of its directors, proclaimed through the State—"Let that man, or that newspaper, which attempts to disturb the public confidence in the Banks, or in the merchants, be marked as an enemy and treated as such." And no doubt "It was the chain of safety fund banks—the distribution of stock—the appointment of directors and officers, and the Presses in each county\* which gave doubtful counties to the Albany Regency, and when the reins which governed each bank and each county were gathered together and placed in Mr. Van Buren's hands, he drove the whole team without any danger from division or upsetting."

\* E. W. Davis to Jesse Hoyt.

Times Office, July, 1836.—Sir—I understand there are meetings at your office in regard to our establishment. If you think, Sir, this is an honorable proceeding you will persist in it. I have only to ask you, when making up your plans, to remember that I have upwards of \$5000 in the establishment; 3000, cash which I put in, and which was taken to pay for the press and types we are using; 2000, cash which I am responsible for, and between 5 and 600 which it owes me besides, having borrowed that amount of money to carry on the establishment. The remainder was subscribed, I believe, by yourself and several other gentlemen from \$100 to \$250 each. I shall be happy to leave the establishment, for I have known nothing but unfairness and injustice in it, and an ungenerous and pitiful meddling which I did not suppose gentlemen could be guilty of. I entered the establishment from my regard to the course of Andrew Jackson, and only ask not to have my little property torn from me.

E. W. D.

New York, July 20, 1836,

To George D. Strong and John L. Graham, Esqs., N. Y.

Gentlemen—I hold your certificate for \$250 advanced to the proprietors of the New York Times. The course of that paper is such as does not meet my approbation, and I am therefore desirous that your Trust should be brought to a close, to the end that I may be reimbursed for the advances I made. I cannot consent that my money should be used as an instrument to oppose the wishes of the people or the interests of the political party to which I belong.

Yours truly, &c.,

J. HOYT.

A single advertisement, not so useful to the public as if it had taken another form, was prepared at the expense of the City treasury, N. Y., in aid of the New Era and Evening Post, for which they received \$14,000. It was not sent to them for the general good—one insertion in the Sun would circulate wider than three in both the others—but to uphold them. In like manner, in 1833, proposals were issued to pay off the debts of a stock-jobbing paper called the Standard. S. Cambreleng, W. S. Coe, and W. Van Wyck were named as trustees to receive the cash and regulate its expenditure, and the paper was to advocate the nominations made at Tammany Hall. Myndert Van Schaick put down \$1000, Charles Henry Hall \$5000 of the debt it owed him—and no doubt the *News* is a machine not very dissimilar to what the Standard was when Mr. Butler was in the habit of going down to the office and puffing his own piety and patriotism through its leading editorials.

## CHAPTER XXII.

*The Press. James Gordon Bennett. His secret correspondence with Messrs. Hoyt and Van Buren. His pecuniary difficulties—affection for the Regency—ten years' service to Van Buren—jealousy of Mumford—effort to get \$2500—anguish, &c. Van Buren discards him—he gives Van Buren's character, and turns his 'big gun' on his old friends. He says ditto to Leggett's account of the Regency. His course in the fall Elections of 1840.*

Mr. James Gordon Bennett is said to be a man of education and intelligence—is a native of Scotland—self-made—well acquainted with public affairs in the United States, and with the characters of our leading politicians. He formerly conducted a newspaper in Philadelphia, ably assisted in the management of the N. Y. Courier and Enquirer, while owned by Webb and Noah, and is now the proprietor of a journal said to have a very wide circulation, entitled the New York Herald. Mr. Bennett has been represented as a liberal journalist, less attached to party than to truth—and he has been denounced as a mercenary hireling, ever ready to prostitute the power of his press to the purposes of fraud and deception, for private gain. Whether either of these, or what, is his true character, will perhaps be ascertained by a perusal of the following correspondence, written by himself, and his quondam friend, Mr. Van Buren.

[No. 1.] Mr. Bennett to Mr. Hoyt, at N. York.

PHILADELPHIA, 7th June, 1829.

DEAR SIR—When I first contemplated leaving New York a few days I promised to write you occasionally. Of course I consider the promise still good.

I have been part of three days here, and have mixed a good deal with the leading Jackson men. They received the account of the Union of the Enquirer and the Courier with 'utter astonishment.' So they told me in express terms.

They cannot conceive how the party in New York can repose confidence in Mr. Webb. Such is the sentiment here.

I shall write you again from Washington. In the meantime, will you do all you can about the paper? Spur up Butler for he wants it.

I am, Dear Sir, yours truly,

JAMES G. BENNETT.

[No. 2.] Mr. Bennett to Mr. Hoyt, at New York.

Per mail. WASHINGTON, 11 June, 1829.

DEAR SIR—I arrived here the day before yesterday. I called on Mr. Van Buren and Mr. Ingham. They are both in favor of the new Democratic paper or the old one renovated. The feeling against the coalition runs about as strong here as in New York. They knew it would be corrected by the public men in New York.

Major Moore of Kentucky is here. He brings accounts from the west that some movements are making of a curious nature between Judge McLean (late postmaster) and Mr. Clay.

I have picked up a good deal of political information of various kinds which I shall tell you in New York.

I am going to call on the President to-day.

I am, Dear Sir, yours truly,

JAMES G. BENNETT.

[No. 3.] P'm'k Phil. 17 Aug. Address—Jesse Hoyt, Esq., Att'y at Law, N. Y.

Philadelphia, 16 Aug. 1832.

Dear Hoyt—Your letter amuses me. The only point of consequence is that conveying the refusal. This is the best evidence of the *deadly hostility which you all have entertained towards me*. It explains, too, the course of the Standard and Post, in their aggressions upon me ever since I came to Philadelphia. The name for such a feeling in the breasts of those I have only served and aided at my own cost and my own sacrifice, puzzles me beyond example. I can account for it in no other way than the simple fact *that I happen to have been born in another country.*

I must put up with it as well as I can. *As to your doubts and surmises about my future course, rest perfectly easy—I shall never abandon my party or my friends.* I'll go to the bottom sooner. The assaults of the Post and Standard, I shall put down like the grass that grows. I shall carry the war into Africa, and "curst be he who cries hold, enough." Neither Mr. Van Buren and the Argus nor any of their true friends will or can have any fellow feeling with the men—the stockjobbers—who for the last two years have been trying to destroy my character and reputation. I know Mr. Van Buren better—and *I will stand up in his defence, AS LONG AS HE FEELS FRIENDLY TO ME.* I will endeavour to do the best I can to get along. I will go among my personal friends who are unshackled as to politics or banks, and who will leave me free to act as a man of honor and principle. So my dear Hoyt, do not lose your sleep on my account. I am certain of your friendship whatever the others may say or do. I fear nothing in the shape of man, devil, or newspaper—I can row my own boat, and if the Post and Standard don't get out of my way, they must sink me—that is all. If I adhere to the same principles and run hereafter as I have done heretofore, *and which I mean to do, recollect it is not so much that "I love my persecutors" as that I regard my own honor and reputation.* Your lighting up poor Webb like a fat tallow candle at one end, and holding him out as a beacon-light to frighten me, only makes me smile. Webb is a gentleman in private life, a good hearted fellow, honorable in all his private transactions as I have found him, but in politics and newspapers a perfect child—a boy. You will never find the Pennsylvanian going the career of the C. & E. That suspicion answers as a good excuse to those who have resolved before hand to do me all the injury they can, but it will answer for nothing else. I am, Dear Hoyt,

Yours truly,

J. G. B.

P. S. *The \$200 in specie I'll put into my big Gun and give the U. S. Bank and Stockjobbers a broadside.* I wish you would let me know any other U. S. Bank movement in your city. This is the Battle ground of Bank contest—here is the field of Waterloo. New York now is only the Pyrenies.

[No. 4.] P'm'k Alb'y, July 20. Address, "Jesse Hoyt, Esq., Counsellor at Law, N. Y." Albany, 20th July, 1829.

Dear Sir—Since I arrived here I have seen our friends in the *Argus* office and State department—I mean Major Flagg, Mr. Wright, and Mr. Croswell. They are very friendly, but they say they have heard little of our local matters in New York, consequent on the sale of the *Enquirer*, with the exception of a passing remark from Mr. Cambreleng, as he passed through here a few weeks ago. They speak in the highest terms of Mr. Barnum, and assure me that he is every way capable for the position in New York. I am sorely puzzled to know what to do. Although our friends here think it a very favorable opportunity to start a new paper, yet they think it a very hazardous experiment. They told me to day that if the party had the control of the political course of the *Courier and Enquirer*, it would be more eligible than a new paper. This they think could be done by placing an editor there *under the auspices of the General Committee*—an Editor who would take care of the interests of the party and its friends. They are afraid that the political patronage is not sufficient for the support of a new paper, and they are of opinion that a journal which now enjoys all such patronage as the *Courier and Enquirer* ought to give up its columns to a political Editor appointed by the General Committee. I wish you could get me out of these contradictory views and opinions. If you and Mr. OAKLEY, and Mr. CODDINGTON, and a few other of our friends *could settle what course I shall take previous to my return, I DO NOT CARE WHAT IT IS—I shall adopt it—I know it will be a proper course.* Which is the best and cheapest mode of expressing the views of the party? A new or an old paper. *I shall be impatient for action when I return.* Now is the time to sow the seed. This is the spring of politics. The birds are beginning to sing. I cannot resist those influences, and if you set yourself to work, I know you can accomplish the matter to a T. Do not call me a heretic, and a trifling fellow, because I have spoken thus much of C. and E. *If it be heresy, then undoubtedly must headquarters be in a bad way.*

On the evening before I left New York I received a letter informing me that the *Herald* intended to publish on Saturday morning last this—"The last rallying point

of the Republican Party has been surrendered, by the purchase by the Courier of the services and prospects of the gentlemen who was to have published the N. Y. State Enquirer, &c. &c. &c." I went to the office of the Herald and told them it was untrue, and forbid its publication. Snowden will tell you the whole story. It appears that Mumford went to the Herald and told them the story. You can see in this the finger of our friend BUTLER and Elisha Tibbets probably, who want to make as much mischief as possible. I hope *old King caucus* will remember them. I shall write nothing for the C. and E. during my tour—that you requested to do. Tell Mr. Oakley that my next letter I shall write to him probably from the Springs.

I am, Dear Sir, yours truly,

JAMES G. BENNETT.

P. S.—If you have any thing to say particularly in the course of this week write to Buffalo to me.

P. S.—Mr. Croswell thinks that under present circumstances the Republican General Committee can make their own terms with Webb and Tylee. Would not a private meeting of our friends on the subject be a good first step?

[No. 5.] Post m'k, Phil. 13 June, [1833.] Address Jesse Hoyt, Esq., Counsellor at Law, New York.

DEAR HOYT.—You will see by the papers what we are about here. My object is to make the party come out for a National Convention.

It can be done by prudence, skill, and address.

In relation to what I talked to you in New York, I have an earnest word to say. I really wish that my friends there would try to aid me in the matter I formerly mentioned.

Morrison I fear will do nothing.

John Mumford has been aided to the extent of \$40,000. With a fourth of that sum I would have done twice as much—soberly and with some decency too.

I should be sorry to be compelled to believe that my friends in New York should bestow their friendship more effectually upon a dr—en fellow than me, who certainly *has* some pretensions to decency.

I am sorry to speak harshly of any body, but really I think there is something like ingratitude in the way I have been treated.

I want no favor that I cannot repay.

I want no aid that is not perfectly safe.

I should like to hear from you, if there is any likelihood of my success.

Yours, &c.,

J. GORDON BENNETT.

[No. 6.]

Philadelphia, 27th July, 1833.

DEAR HOYT,—I have written to Van Buren to-day about the old affair. I MUST have a loan of \$2500 for a couple of years from some quarter. I can't get on without it—and if the common friends of our cause—those I have been working for 8 years—cannot do it, I must look for it somewhere else. My business here is doing very well—and the money would be perfectly safe in two years. You see already the effect produced in Pennsylvania—we can have the State—But if our friends wont lay aside their heartlessness, why, we'll go to the Devil—that is all.

There is no man who will go further with friends than I will—who will sacrifice more—who will work harder. You know it very well.

I must be perfectly independent of the little sections in this city, who would hurry me into their small courses, at the risk of the main object.

Kendall leaves Washington tomorrow on his tour of Bank Inspection. Let me hear from you.

Yours, &c.

JA'S GORDON BENNETT.

[No. 7.] (Post mark, Phil., Aug. 3.) Address—Jesse Hoyt, Esq., Attorney at Law, New York.

PHILADELPHIA, 3rd Aug't, 1833.

DEAR HOYT,—I am extremely sorry at the result of your efforts. The effect is inevitable; *I must break down* in the very midst of one of the most important contests which VAN BUREN'S CAUSE ever got into in this state. I do not see how I can avoid it. With every advantage in my favor—with every preparation

made—every thing in the finest trim to check-mate and corner all the opposition to Van Buren, and to force them to come out in his favor—as I know they must do soon—I must give way to the counsels of those who have most hostile feelings to the cause—and on what ground? Because neither Mr. Van Buren nor his friends will move a finger in my aid. I must say this is *heartless in the extreme*. I do not wish to use any other language than what will convey mildly the *anguish, the disappointment, the despair I may say which broods over me*. If I had been a stranger to Mr. Van Buren and his friends—if I had been unknown—if I had been blest in being a blockhead—I might not have got into my present posture—nor would I have expected any aid from your quarter. *But after NEARLY TEN YEARS spent in New York, WORKING NIGHT AND DAY FOR THE CAUSE OF MR. VAN BUREN AND HIS FRIENDS*, surrounded, too, as I have been, with those who were continually talking against him, and poisoning me to his prejudice, the treatment which I have received from him and his friends during this last year, and up to this moment, is *as superlatively heartless*—and if I could use any other word more expressive of my sentiments I would—as it is impossible to conceive or imagine. By many of those whom I have supported for years I have been suspected, slandered, and reviled as if I had been in bitter hostility to Mr. Van Buren for years, *instead of supporting him through every weather*, and even sacrificing myself that I might retain the same feelings towards him—for I assure you I might have continued my connection with the C. and E. last year, very much to my advantage—retained my share in the printing office of that establishment, if I had not differed with Mr. Webb on the points that you know so well of. I sold out however to \*Hoskin—saved a small pittance from the wreck of the *†Globe*—came here and invested it in the *Pennsylvanian*, which is now entirely under my control, provided I could find a friend anywhere between heaven and earth to help me along, *and enable me to carry out MY FIXED PURPOSE IN FAVOR OF VAN BUREN and his friends*. *But that friend God has not yet made*, though several of the opposite character the other gentleman has put his brand upon, and fondly says “this is mine.”

*I except you, DEAR HOYT*—I am sure you would help the cause if you could. I find no fault with you, although what fault you find with me about the deposits is nonsense, and only a clamour raised in Wall street by a few of the jealous blockheads hostile to me, who have not brains to see that in this city we can use the deposit question very efficiently in the October election. I do not blame even the jealous blockheads or any others in New York—I blame only one, and that is the Vice President himself. He has treated me in this matter as if I had been a boy—a child—cold, heartless, careless and God knows what not.

By a word to any of his friends in Albany he could do the friendship I want as easily as rise and drink a glass of Saratoga water at the Springs. He chooses to sit still—to *sacrifice those who have supported him in every weather*—and even hardly to treat me as one gentleman would treat another.

*I scarcely know what course I shall pursue, or what I shall do. I am beset on all sides with importunities to cut him—to abandon him*—What can I do? What shall I do? I know not. You will excuse this letter—you can easily appreciate the situation of a man confident of success if properly supported—but nothing before him but the abandonment of his deliberate purposes or a shameful surrender of honor and purpose and principle and all.

Yours truly,

J. G. BENNETT.

I do not know whether it is worth the while to write to Van Buren or not—*nor do I care if you were to send him this letter*.

[No. 8.]

PHILADELPHIA, 15 Aug't, 1833.

DEAR HOYT,—I have not heard from you for a week. I hope that my old friends—if I ever had any—which I begin to doubt—will not forget what I have heretofore done or *what I may do*. Do let me hear from you again for good and all at least.

I am, Dear Sir, Yours, &c.

JA'S G. BENNETT.

I think that is the name.

† Such seems to be the spelling.

[No. 9.] P'm'k, "Saratoga Sp'gs, Aug't 20." Free—M. Van Buren.  
Address—Jesse Hoyt, Esq., New York.

DEAR SIR—I return your Mr. B.'s letter. *I have never doubted his personal friendship for me. I would always have been happy to do him good*, but I cannot directly or indirectly afford pecuniary aid to his press, and more particularly so as I am situated at the present moment. If he cannot continue friendly to me on public grounds and with perfect independence, I can only regret it, but I desire no other support. Whatever course he may pursue, *as long as it is an honest one*, I shall wish him well. He does not understand the relation between the Editors he quarrels with and myself, or he would not complain of me for their acts. They are as independent of me in the management of their papers, as I wish him to be, and remain. I had intended to have said thus much to him, but the your letter, *and the evident tendency of his paper*, render it preferable that I should not. I did suppose that he would have found no difficulty in obtaining money in New York as others get it, if our friends in Philadelphia could not all together make out to sustain one press. If you happen to meet him I wish you would make these explanations to him, BUT KEEP THIS.

I am, in haste, your friend,  
Saratoga, August 19, 1833.

M. VAN BUREN.

On the 15th of August, 1833, Mr. Bennett wrote Mr. Hoyt, earnestly entreating Mr. Van Buren's ultimatum, which that gentleman gave in his letter of the 20th, from Saratoga Springs, showing that he had no confidence in him—but whether he feared his venality or his independence is not stated. That Hoyt doubted him he frankly admits.

When Mr. Bennett found that he had nothing to hope from that quarter, he addressed a letter to General Jackson (Sept. 10) impeaching "Amos Kendall and certain confederates," with reference to the pet bank scheme, to which the president replied. Mr. Bennett had received many confidential letters from Kendall—of these he published several. Mr. R. M. Whitney had also written him—concluding with "Pray burn this letter after you have done with it." It went into his paper! Mr. Cambreleng made similar requests to his agent, Mr. Hoyt, but some of the letters that might have been in the fire appear in this biography.

Mr. Bennett issued a series of letters, through the press, entitled "The Kitchen Cabinet laid open"—said he *had been* for withdrawing the federal treasure from the United States Bank and giving it to other institutions—showed that he *had been* very intimate with Kendall—viewed Kendall now as "black and treacherous"—and showed that a quarrel he had had with the Standard, his defence of the two Enquirers, and the course he took about the bank and its branches, had impressed on the minds of many persons in the Van Buren pet bank army, that he was on both sides. Kendall tells him as much.

I have said that all this bitterness of opposition to his late colleagues followed close upon Van Buren's ultimatum not to lend him \$2500. In December, 1833, the firm of Miffin, Parry & Bennett was dissolved, and the latter removed from all control in the Pennsylvanian newspaper.

Mr. Bennett's conduct and correspondence—the undue influence of his journal—and the causes which may induce such men as him to strain every effort to effect the election of one set of candidates, or to cover those very candidates with obloquy and slander, according as his private interest may be affected—are subjects for the statesman, the moralist, the christian, and, above all others, the friend of our free institutions to ponder over. If the wealthy can thus select and enlist at will, or discard as superfluous, journalists of talent and great circulation, as they would a lawyer to speak for them in a court, for his fee, is not our elective system in danger? What shall be the remedy?

Read Mr. B.'s correspondence, and you will perceive how little is known by common newspaper readers of the secret springs which move their favorite editors. He would "stand up in Mr. Van Buren's defence *as long as Mr. Van Buren felt friendly to him*"—"the \$200 in specie he would put into his big gun [the Pennsylvanian], and give U. S. Bank a broadside."

Was this \$200, then, a bribe? Let us look at it.

If Mr. Bennett was poor, he was correct in receiving pecuniary aid from Mr.

Hoyt, Mr. Van Buren, Mr. Biddle or any one else who, knowing his course and avowed principles, chose to advance \$200 in support of them. To do so, brought him under no personal or political obligation to the donor—it was no bribe. But to take money from Mr. Hoyt—to tell him he was his partisan, bound to sink or swim with Van Buren, and then when Van Buren would not give him other \$2500, to turn round upon and bespatter him and his regency with mud, does seem mercenary and unprincipled.

Who that has read the following paragraphs in the Herald would imagine they were written by the man who could scarcely find terms strong enough to convey to Messrs. Hoyt and Van Buren, a right idea of "the anguish, the disappointment, the despair that brooded over him" because he could not do more for "Van Buren's cause," in advocating which he acknowledges that he had spent nearly ten years in New York, "working night and day for the cause of Mr. Van Buren?"

[From the New York Herald of May 3, 1837—by James Gordon Bennett.]

"The first symptoms of the mania which has produced the present revolution, developed themselves in the spring of 1829, when Mr. Van Buren, a common country lawyer, who began life by trundling cabbages to market in Kinderhook, perfumed with Cologne water, and his yellow whiskers arranged *à la Paris*, presented the famous Safety Fund scheme of banking in Albany. Abijah Mann, of Herkimer, took up the scheme and pressed its adoption in the Assembly on the ground of opposition to the United States Bank, and in order to take the place of that institution, then preparing to get a recharter from Congress. From that moment, the advocates of banks in general were divided into two hostile parties, acting on political principles, and guided by political motives. The same spirit of hostility appeared soon in Congress. The democrats opposed all banking in Congress, but carried it to all lengths in the States. The consequence was the protracted conflict between General Jackson and the United States Bank, which, singular enough, gave a greater development to wild, unregulated banking principles than if the United States Bank had been renewed ten times over. In the midst of the conflict, the old notions of a hard money currency were called into action by the government to sustain itself with the mob."

"The whole public mind has been diseased, and Martin Van Buren and his atrocious associates, form one of the original causes of the terrible moral, political, and commercial desolation which spreads over the country. Martin Van Buren and his associates first introduced the union of politics and banking—politics and speculation in this State. He was the first speculator in town lots at Oswego, and he is the author of the safety fund system, which first agitated the whole elements of banking throughout the country, and divided it into two hostile powers seeking for the supremacy. Nicholas Biddle was a banker—but he was, and is, a man of science. He is an aristocrat, but he is a real one—an intelligent one—a philosophical one. He is such an aristocrat as you will find in heaven—Martin Van Buren such a democrat as you will discover coiled up in any burning corner in the other place—

"Him on a throne of royal state, which far,  
Outshines the wealth of Ormus, or of Ind—"

he sits, like his archetype and teacher, in sulphur below."

[From the New York Herald of October, 1841—by James Gordon Bennett.]

"The shameless profligacy of the Albany Regency, and their coadjutors in fraud and corruption, the pipe-layers of Wall street, cannot much longer be concealed from the public eye. Let one tithe of their rascality be exposed, and not one man among them can withstand the indignation of an outraged community. The old Albany Regency was justly censured for its want of integrity and disregard of the interests of the State; but there was talent and manliness. It had good faith towards their associates, and in that famous body, while the present cabal is utterly worthless and contemptible in every respect. They are destitute of every quality that commands consideration—mercenary, perfidious, and heartless, they have cheated their enemies and betrayed their friends. The slight hold which they now have upon their followers in the interior of the State will soon be destroyed, and they will then go into obscurity with the scorn and detestation of all parties."

Mr. Bennett, like Mr. Noah, is Mr. Van Buren's own witness. For ten years they were together, constantly corresponding, acting, writing, planning, and scheming. At length there was a quarrel about dollars—Mr. Bennett felt affronted because Mr. Mumford had had \$40,000, while he himself was refused \$2500. How much, beside the \$200 had been put into his "big gun," the public have not yet been told. His "experience," published in 1837 and '41, when read along with his begging letters, is really a curiosity. Hoyt kept *his* (B's) secrets, because he (B.) could have told *his*.

I remember that it was asserted, that Mr. Bennett, in Oct., 1840, put a heavy charge of Hoyt's dollars into his "big gun," before he could be prevailed on to come out strong for Mr. Morris and the Hunkers, against the whigs. The *Argus* copied approvingly his violent, pithy articles, accusing Governor Seward and other leading Whigs of highly criminal conduct as politicians. Perhaps Mr. B. will himself explain how he stood with District Attorney Butler, Collector Hoyt, and President Van Buren, at that important period of their lives. How far the preceding letters warrant the inference that he must have been hired, as he was to puff the foreign dancing-woman Ellsler, I say not. *Those who can* will, of course, believe,

that on the eve of the great election of 1840, James Gordon Bennett took sides with the "superlatively heartless" "archetype" of Satan, who had driven him in 1833 to "a shameful surrender of honor and purpose and principle and all"—out of pure sympathy, and without first securing an order from Hoyt or Beers for at least a double charge of his powder to "the big gun."

I have heard Mr. Bennett described by those who had excellent opportunities to judge of his character, as a mean, mercenary being, without one spark of kindly or generous feeling. I doubted. But what shall we say of the pliancy with which, in July, 1829, he was ready to adopt any course that Hoyt, Coddington & Co. might dictate? Are there those who hesitate in believing that Bennett, in 1845, is the instrument of southern-slaveholders, foreigners, natives, Butlers, Van Burens, Wall Street operators, or of whoever else can furnish ammunition for the big gun? He abuses the Wall Street brokers and bankers, 'tis true—and so did Butler from Sandy Hill, and Van Buren from the chair of the great Washington.

Like many other evils which afflict society, a press such as Bennett's is the effect of the unstable character of our imported laws, currency, and business system. We must seek a remedy, not in abusing this wretched instrument of all that is bad in our institutions, but in a return to the truly Christian principles of the 4th of July, 1776—for if the check of the democratic millions is found to be imperfect, all experience proves that it would be madness to look for a haven of safety in a return to the rule of the one or the few.\*

## CHAPTER XXIII.

*Banking in the U. S. founded upon the English system. Mr. Daniel S. Dickenson. The 1st and 2nd National Banks. Messrs. Butler, Van Buren, and Marcy's course. They petition for a branch bank at Albany. Their request refused. Opposition organized. The Safety Fund bubble. Prospects of the opposition leaders—Their success, and the result. Letters—Butler's secret sentiments—Lorenzo Hoyt's—Cambreleng's—Memorial for the Bank—Democrats like to be U. S. B. directors. Tibbels's "very good plan of a Bank"—Root and Pitcher. A Veto. Cornelius W. Lawrence, a national bank man. Governor Wright instructs the N. Y. Legislature through Mr. Jesse Hoyt. A U. S. Judge urges Mr. Hoyt to influence a New York Senator through Judge Riker!*

The course proposed by Messrs. Butler, Hoyt, Van Buren and their old associates, in 1833, relative to the United States Bank, involved but one principle—had but one object—'the spoils.'—The Globe and the Argus called their opponents 'the bank party' and 'the federal party;' but the leaders of the pet bank movement had been almost to a man opponents of Jackson and for the bank. Like the Saxons at Leipsic, Van Buren and his band had deserted their colors as the fortune of the day turned rapidly against them—and as for federalism, far more of its ancient champions are to be found in the camp of Wright, Van Buren and Polk, than among their opponents. I am for the principles of the Declaration of Independence, and consequently not an implicit believer in the dogmas of whig federalism, or 'regular democrat,' except in so far as, in soul and spirit, they go for that glorious landmark of human rights, duties and responsibilities.

\* That the President, in appointing Commissioners to enquire into and lay before Congress and the people, an account of the enormous frauds and unmatched knavery of the N. Y. Custom House, rendered society a real service, few candid men will hesitate to admit. They troubled Bennett's friend Hoyt, greatly. On the 27th Dec. 1841, Hoyt wrote Secretary Forward a long letter, traducing the Commissioners, and it appeared in the N. Y. Herald a few days after, Bennett declaring that it had been procured "at great cost and with much trouble," and adding as follows:

"On Monday, Mr. Jesse Hoyt, late Collector of Customs in this city, wrote a very curious and original letter to the Secretary of the Treasury, commenting on the recent investigation, and showing up 'Old Pointe' and his special counsellor, in a manner 'not so slow.' At great cost, and with much trouble, we have procured a copy of the first letter to the Secretary, through an exercise of the same wonderful faculties by which we pumped out the famous secrets of the Hard-cider and Coon-skin cabinet. The letter of Jesse Hoyt may be considered the first gun in the third custom house campaign. He directs his shot against 'Old Pointe' and his special counsellor, Dwight, with some considerable effect—but whether Roderigo kills Cassio, or Cassio kills Rodrigo, we hardly care a button. We trust both parties will get well licked jackets. Mr. Dwight, we believe, and the 'Daily Express' clique, are the authors of the whole hubbub about the friends in the Custom House, which led to the recent investigation. At first we believed in the sincerity and honesty of the investigation," &c.



England had made a bank somewhat similarly constituted with that last chartered by Congress, her national treasury or exchequer. The Congress of the Union followed her example, receiving, I believe, a million or a million and a half of dollars in advance, as a premium for the use of the public revenue, given to the Bank, with power to force U. S. Bank notes into general circulation in all payments on behalf of the government. In 1819 the Bank lost millions through mismanagement, but did not stop. It demanded the specie from other Banks for their notes paid in for lands or customs' duties, and if they failed to redeem, refused their notes as money. In this way it operated in some degree as a check on the multiplication of what are called state banks. Its stock chiefly paid in U. S. securities, rose to \$150, or more, for the \$100 share; and that was not far from its value when Andrew Jackson and M. Van Buren reached Washington, in March, 1829.

In 1826, while Messrs. Adams and Clay were in power, and Messrs. Butler, Van Buren, and Marcy in opposition, these three gentlemen, being then resident at Albany, were warm friends of the national bank, and, on the 10th of July, "on behalf of themselves and their fellow citizens of Albany," memorialized "the directors of the United States Bank" at Philadelphia, in these words:—"The limited capital of our banks forbids the extension of our trade. Merchants of moderate fortune are discouraged from taking up their abode among us, from a knowledge that the banking capital of the place is inadequate . . . the nature of the trade which would be prosecuted here, would in a great measure render the bills of a branch established at this place the circulating medium of the extensive regions whose produce would be brought to market. Insomuch, therefore, as the establishment of a branch here would not only be highly advantageous to this city, but a source of profit to the parent institution, we hope that the directors of the United States Bank will establish an office of discount and deposit at this place." The memorial was signed, in their own hand writing, by "Benjamin F. Butler," "W. L. Marcy," and "M. Van Buren," who considered a branch at Albany quite constitutional, and were anxious that the bills of "the monster," "the Biddle Bank," should become "the circulating medium of extensive regions."

Their request was refused. Then, *but not till then*, they wheeled round in support of Jackson—planned the deception known as the "safety fund," as a trap to catch ignorance, and the moment Mr. Van Buren found himself in Clinton's saddle, as Governor of New York, he told the legislature, Jan. 7, 1829, that "to dispense with Banks altogether is an idea which seems to have no advocate; and to make ourselves wholly dependent on those established by federal authority deserves none. If these are correct views, the only alternative would seem to be, between a renewal of the charters of the sound part of the existing Banks, or to anticipate the winding up of these concerns BY THE INCORPORATION OF NEW INSTITUTIONS."

A few weeks afterward he left for Washington; and, knowing Jackson's opinion of the unconstitutional character of the great bank which had declined an alliance with him in 1826, he began to undermine it—holding out to Lawrence, Cambreleng, Vanderpoel, and his other associates in New York state and through the Union, the spoils as their reward for assisting in its overthrow. The national treasure would be divided among the confederate banks—their shares would rise as those of the U. S. sank—the politicians of his school could borrow the public funds through the Manhattan and other pets—Lawrence and others would get new charters at Albany, and their share of the plunder—the whole scheme might, and no doubt would break down—all experience in the Union had shown that such schemes must break down from sheer lack of honesty in those concerned, but even in failure, which must not take place till he was President—even in failure the party leaders might acquire vast profits. He was an old banker, thoroughly versed in chartered mysteries, had been bank director of the Hudson Bank, that paid 6 cents to the dollar, afterwards bank-attorney, attorney-general, a senator, voting for banks, a governor to recommend more of them, the agent of Jacob Barker, and the partner of the President of the Bank of Washington and Warren.

Mr. Van Buren succeeded. The U. S. Bank was crushed. The revenue was bestowed on favorite state institutions where it would serve the purposes of personal gain and political ambition—the administration bade the pet bankers give out the national revenue for purposes of speculation. Then came the distribution bill,

Mr. Van Buren sat at the helm of State—saw 10,000 merchants and trading persons fail in business, and 900 banks shut their doors on those creditors who presented their obligations. The Safety Fund followed. Mr. Jesse Hoyt deposited the public money in Beers the broker's Trust Co. Bank, when nobody else would trust it. Specie was held to mean bank checks. Ruin stared many an honest man in the face. Mr. Van Buren descended from the chair of state—the pet banks were set agoing again—the sub-treasury was rescinded—credit and confidence returned, to vanish as before—and the authors of all this mischief, Messrs. Van Buren and his friends, are again at the helm of affairs—Marcy in the cabinet, Polk in the seat of Jefferson, Butler district attorney, Wright governor of N. Y., Lawrence and Horn in the custom houses, Ritchie in place of Blair, Bancroft over the Navy, Wetmore navy agent!!!, Edmonds on the bench, Morris, postmaster, and Van Buren at Kinderhook pulling the wires, "all things to all men" that he may gain some.

We will now lift up the curtain, and exhibit to the reader a few choice samples of the secret opinions and proceedings, not of the enemies of chartered paper-money banking, but of the Hoyt, Butler, Lawrence, Polk and Van Buren army, struggling for the spoils, for the use of which their antagonists had already paid a million of dollars to the nation.

[Franked by Mr. Butler, p'm'k Wash'n, Feb. 25.]—Address—Jesse Hoyt, Esq., New York. [Private.] Feb'y 24th, [1834.]

My Dear Sir—I thank you for all the news (bad enough most of it) in your several letters—and most heartily concur with you in *all* the censures and three-fourths of the abstract notions you utter in them. As for supposing that Newbold, George Griswold, Stephen Whitney, or any of the old federal commercial men, were with us on this occasion, for any other reason than because they found it *for their interest* to go with us, I never for one single instant had such an unwarrantable idea.

As for myself, I have NEVER doubted that THE PRESENT Bank\* ought **BY ALL MEANS** to be put down—but, on the other hand, I have never been perfectly satisfied that we could get on with the business of the country without

\* In Banking, as in many other things, the custom of Britain has been followed by us. There, the few rich have many votes in the legislature, and are a separate House. In some places 200 voters return two representatives to the Commons—several large and populous cities, with vast wealth, do no more. The Parliament, thus composed, regulates all matters of life and property. So in banking, the large stockholders have many votes and much influence—the owners of a few shares have none—the rich unite their votes, and manage for the whole.

Here, where, in matters of life and property, in legislation and government, the poor man has one vote and the rich man no more, and where equal rights and laws to all and over all was the banner unfolded in 1776, with the declaration of independence as its motto, there have been national and state banks chartered on the English plan—he who could command many shares had many votes—he who had but one share only one vote. Banks, like that of Niagara at Buffalo, were chartered by the votes of Mr. M. Van Buren and others, on this principle, and empowered to issue their notes as the currency of the Union when they had paid in 12½ cents on the dollar of their capital. Mr. Van Buren even went so far as to vote that they should not be obliged to redeem their notes in specie. The Washington and Warren belonged to Jacob Barker, Mr. Van Buren's intimate friend. He had a charter—he was the bank—and this, too, in a republic like ours. In a letter written in Nov. 1828, Mr. Van Buren calls Broome a "crazy county." Mr. Daniel S. Dickenson a representative of the two-and-a-half millions of citizens of New York, in the U. S. Senate, got hold of 594 shares of the Broome County Bank—Mr. Cyrus Strong got other 1423. All the shares were but 4000—these two men had 2017—more than half—Cyrus took the office of bank president—Daniel that of bank attorney. A county regency was formed, to act in concert with the central junta at Albany—a press, to play Argus tunes—offices were given only to the disciplined regulars—"Crazy" Boone was anchored fast at last—bank influence and "the party usages," with such conventions as the N. Y. Evening Post has described, made Daniel a lieutenant governor, and the Bank Attorney's next step was into the Senate of the Union! In 1836, in the Syracuse Convention, to nominate Marcy and Van Buren, Dickenson and Flagg introduced a set of very sycophantic and undeserved resolutions in praise of the letter. Their object was to deceive, and they were successful.

A national bank, with ten millions' capital, on the principle I have stated, was chartered at Washington nearly 50 years since, with power to create separate banks under the name of branches. In 1811 the Senate refused to renew its powers, by the casting voice of Vice President Clinton. The war followed—the other 50 to 100 banks stopt payment—confusion prevailed in the public finances—the republic borrowed depreciated, worthless notes of broken banks, and bound itself to pay the interest and redeem the loans in gold and silver. At the peace of 1815, another national bank was chartered by Congress, and Mr. Van Buren was one of its steadiest advocates. Mr. Clay voted for it in 1816, and Colonel Young voted for him in 1824. Mr. W. H. Crawford was the warmest advocate of the old bank in the Senate in 1811, and to the hour of his death the steadiest supporter of the new bank, and Martin Van Buren was the chief supporter of this Mr. Crawford for the office of President of the United States, in the caucus at Washington, in 1824—and with Mr. Butler, the Argus, and all his adherents, in resolute opposition to Andrew Jackson, the consistent opponent of the 1st and 2d U. S. Banks, in which he agreed with Jefferson, while Van Buren differed from him. Mr. Thomas Ritchie, now of the Washington Union, took sides with Van Buren—for the Bank and Crawford, and against Jackson.

SOME SUCH AGENT. But Mr. Taney thinks we can, and *[he is the judge Mr. Gallatin also once told me we could—and I am desirous TO TRY IT ; because if we can get on without any of this machinery, I think it best to dispense with it, for it always has been, and always will be, abused, no matter who controls it, we or our enemies.]*

Come what will, *we must adhere to the Pres't policy FOR THE PRESENT, even if it sends us all into the minority. It would be better to go ten years into the minority than to recharter THE Bank, or make a new one NOW.*

Truly yours,

B. F. BUTLER.

Extract of a letter, B. F. Butler to Jesse Hoyt—dated Albany, Dec. 14, 1832.—*"The President's Proclamation has electrified our whole community. Next to the Declaration of Independence, it is the most p—— state paper our country's —— have produced."* [The words left out are torn off in the original.]

Extract of a letter, Mr. Butler to Mr. Hoyt, dated Washington, June 29, 1834.—*"Mr. Taney and myself were nominated this morning; Mr. Stevenson is also yet under consideration. They are very furious in their attacks on Stevenson, and it is by no means certain they may not call for information about MY SUPPORT OF THE PRESIDENT IN HIS PROTEST, &c., in which event Mr. Wright is authorized by me to speak strongly."*

Extract of a letter, Lorenzo Hoyt to his brother Jesse—dated Albany, Dec. 19, 1832.—*"I think the [U. S.] Bank question will enter, more or less, into every other political one that is agitated here this winter—and I think and hope that our friends will feel no disposition, to retrace, in any degree, their steps last winter. As a party, in this State, I think we are fully committed to a course of uncompromising hostility to THE PRESENT Bank—and if Old Hickory has suffered himself to be duped—which I think not unlikely—by Livingston and McLane, he must take the consequences."*

*Eight letters—Hon. C. C. Cambreleng to Jesse Hoyt, Esq., at New York.*

[No. 1.] *Private.*

WASHINGTON, 5 Feb., 1832.

DEAR H.—I received to-day the memorial in favor of the Bank of the United States—it is signed by a host—said to be principally the friends of the Administration, but *I have looked over the list.* Our friends should be up and doing. This is forwarded to our delegation in a letter signed by Gideon Lee, Meigs D. Benjamin, Dudley Selden and William Neilson. It says the memorial originated with the supporters of the present administration.

Sincerely yours,

C. C. CAMBRELENG.

P. S. I presume it is signed by every merchant who keeps an account at the Bank.

[No. 2.] *Private.* WASHINGTON, Feb. 6, 1832.—DEAR H.—Get the Workies to be up and doing on the U. S. B. question. They are democrats in principle.

Very truly yours,

C. C. CAMBRELENG.

[No. 3.] WASHINGTON, Jan. 10, 1833.—DEAR SIR—You are surprised at the appointment of Mr. Alley as Bank Director instead of Mr. Jackson. I was negligent in not writing to Mr. Jackson a second time. The day Mr. White left here he stated that Mr. McLane desired us to say who should be appointed, that he, Mr. White, had named Mr. Alley. I told him that I was committed to Mr. Jackson and should recommend him—Mr. White then said that he would concur with me in supporting Mr. Jackson, and he wished me to write to Mr. McLane that he did so concur. I wrote him in behalf of Mr. White and myself, and also wrote him that I understood Mr. Verplanck to be also favorable to Mr. Jackson. After this I presumed the matter settled, and so wrote to Mr. Jackson. Some days after I learned to my surprise, from Mr. McLane, that in consequence of Mr. White's having named Mr. Alley, whom he presumed would be satisfactory to the Delegation, he had gone too far to recede before he received my letter. I ought

to have written this to Mr. Jackson, but omitted to do so. You will oblige me by explaining it to him.

Very truly yours,

C. C. CAMBRELENG.

[No. 4.]

WASHINGTON, 12th Feb., 1832.

DEAR H.—Mr. Hill's speech will go all over the Union—that notices Clay's attack upon Mr. Gallatin in the best possible manner—it drives it home upon him. His quarrel, too, with General Smith you will have seen—that ought to be noticed conspicuously. He is one of our revolutionary Heroes, upwards of 80—one who gallantly defended what was then called Mud Fort on the Delaware, when attacked by a British squadron.

With regard to the Bank it is not worth while to have any public meeting about—a remonstrance against it is enough—I don't think the debate will come up for a month—*Mr. Tibbets sent me A VERY GOOD PLAN OF A BANK*—which I have returned. Ask him to send me a copy of it.

Very sincerely yours,

C. C. CAMBRELENG.

[No. 5.]

WASHINGTON, 16th Feb., 1832.

DEAR H.—I return you the letter—Judge Clayton of Georgia has a resolution prepared and will offer it as soon as he can—it will cover the object in view—I shall see the President to-night—who has a *confidential* director on the spot. You need not fear but what we shall take care of the Mammoth in some way or other—I think ON REFLECTION that it would be well enough to let the plan Mr. Tibbets had in view alone for the present. Let them follow the Bostonians and Portland people in asking for a new bank from the federal government—but on the plan they propose—this is on the whole better than to set up for ourselves, which might be made use of by the Pennsylvanians against us, here and elsewhere—We can bring forward a State bank next year—mention this to Mr. Tibbets.

Sincerely yours,

C. C. CAMBRELENG.

I did not know before why that paper was so bitter against Van Buren.

[No. 6.] WASHINGTON, 14th Feb., 1832.—DEAR H.—The knowing ones at Albany merely wish to manœuvre a little about the Governor to get a change. That is as I suspect. I have written Wright, Edwards, and Flagg—Croswell, I wrote him also. We shall not get at THE Bank for 4 weeks—at least I should think not. The more we discuss it the stronger we shall become. McDuffie's, *alias* Calhoun's Tariff is on one extreme—Clay's on t' other. The Gentleman who wrote Mr. Mumford is not our friend—He is of the *Sutherland school*.

Sincerely yours,

C. C. CAMBRELENG.

[No. 7.]

WASHINGTON, 14th March, 1832.

DEAR H.—You ought not to appoint any representative in Congress. We shall be in the midst of Tariff, Bank, &c., and can't go—take good, honest, and staunch men—send such men as Mr. Fish.

Our friend S—, whose letter you read when here, is in a great fidget because he did not see his memorial in favor of the Bank of the U. S. announced in the paper, I had that important event regularly announced!

Root will not trouble us much longer. Angel [or Anzel] hammered him without gloves—he had nobody to defend him but an anti-mason.

Sincerely yours,

C. C. CAMBRELENG.

[No. 8.] *Private.*

WASHINGTON, 15th March, 1832.

DEAR H.—I never doubted the sincere attachment of the Editors of the Courier and Enquirer to the course of Mr. Van Buren, the President, and our party generally—but the course they pursue in relation to General Root, is calculated to injure the cause of the administration. I care not for the quarrel with the Argus—or who may be our next Governor—that matter will be no doubt amicably adjusted—but I do care about putting forward a candidate who is as much opposed to this administration as Joel B. Sutherland—and his votes will prove it, as they have

done already. He and Pitcher vote uniformly with the opposition—and Root yesterday *denounced Tammany Hall, and went openly for the Pewter Mug*. Another course is pursued which they will find in the end will be highly injurious to the President—that is, pressing the Bank bill upon him at this session with a moral certainty that if it reaches him the obligation of public duty will compel him to return it—as entirely premature—four years before the charter expires. The charter of the Bank of England expires next year and has not yet been renewed—the charter of the East India Company was not renewed till one year before it expired—three-fourths of the President's friends are opposed to the Bank—and he can never, under such circumstances, do otherwise than to send the bill back—if he had no other motive the adjustment of the tariff and the extinguishment of the public debt—both occurring before the charter expires—are alone sufficient. It is the enemies of the President, such as Branch, Wickliffe, Daniel, &c. &c., united with the friends of the Bank, who are determined to send this bill to him, expecting to do him an injury, and kill the bank too—which its friends are certainly doing by pressing it now.

Sincerely yours,

C. C. CAMBRELENG.

*Hon. C. W. Lawrence, M. C., to Mr. Jesse Hoyt, N. Y.*

Franked, per mail.

WASHINGTON, 26th Jan'y, 1834.

MY DEAR SIR—I am much obliged to you for your letter of the 21st, and I AM APPREHENSIVE OUR POLITICAL FRIENDS MAKE A MISTAKE IN GOING TOO FAR AGAINST A NATIONAL BANK, but I will have the pleasure of writing a few days hence.

Respectfully, your assured friend,

CORN'S W. LAWRENCE.

*The same to the same.*

WASHINGTON, 31st Jan'y, 1834.

MY DEAR SIR—I can scarcely suppose it possible that I could have written any letter to authorize the paper you have enclosed to me, and I feel deeply mortified that any one should have authorized a publication in a newspaper. May I beg the favor of you to request the person to whom it was directed to return it to me, or at least not to circulate it, and if any one should speak of the contents of my letters, please mention that I had repeated to you, that *my letters* were only intended for those to whom they were directed.

I can not imagine who could have received the letter alluded to. I have no idea any compromise is thought of by either political party.

*It is my individual opinion that A NATIONAL BANK with proper restrictions and subject to State Taxes, &c., WOULD BE USEFUL TO THE GOVERNMENT AND COUNTRY, and I know there are other individuals in Congress of that opinion, and that is almost as much as I do know.*

Respectfully, your friend,

CORN'S W. LAWRENCE.

*Senator Wright to Mr. Jesse Hoyt.*

WASHINGTON, 3d Jan'y, 1834.

MY DEAR SIR—Your letter and the enclosure came to me this day, and I have this evening sent both to Mr. Flagg, with such suggestions as occurred to me. Nothing can be clearer, in my mind, than that the friends of the Administration in your City should *not attempt* to get up a popular meeting upon this subject. *The legislature is the proper organ to speak for the people* upon this important subject, and there is not a doubt that they should act without one moment's delay. It is too late to fear any effect from the allegation that *our State leads*. The subject is now before the Virginia legislature, and I think it quite likely they will recommend a restoration of the deposits. The legislature of Ohio have acted, and go strong against the Bank—in favor of the removal of the deposits—and against the land bill. I say they have acted. The mail to-day has brought a copy of their resolutions, which had passed the Senate, and which Mr. Morris, the Jackson Senator from that State, says will pass the House 3 to 1. Every legislature in the Union will act upon this subject, and ours will not be behind.

If the friends of *the Bank* in your city attempt to get up a popular meeting, the subject will be one which the friends of the Administration on the ground will best know how to dispose of—but in any other way I do not think *the mass of your somewhat excited population* should be called to act.

The state of feeling here is very violent, and popular meetings either way can have little effect. Still I should dislike to see a meeting in New York seeming to embody an undivided expression, given to our opponents—for *the political effect in the country would be bad.*

I have no time to write farther—but shall be happy to hear from you often and freely.

I think the legislature should—in the shortest possible language—

1st. Express an opinion against the re-charter of *the Bank* in any form.

2nd. Approve of the communication read to the Cabinet on the 18th Sept. last.

3rd. Approve of the change of the deposits.

4th. Approve of the reasons given by the Secretary for that change, both on the ground of the near expiration of the Charter, and on the ground that *the Bank* has abused its chartered powers and privileges, and has become *a political institution.*

These points will cover the whole case in *a form and manner most applicable to the state of things here.*

Most truly yours,

SILAS WRIGHT, JR.

This is the way things are done. Is it the right way?

Mr. Van Buren, U. S. Senator, Washington, wishes his friends in Albany to enable him to vote for the tariff of 1828, and yet retain the good will of his southern anti-tariff brethren in the Senate, who have a great reverence for "instructions."

He is instructed.

Mr. Silas Wright, holding the same office in 1834, preferring pet banks to a national treasury, instructs the State legislature what to ask for, how to ask it, and when to grind anti-bank music out of "the proper organ"—and

In 1824, Judge Skinner of the Albany Regency, a name given to the leaders who acted with Van Buren, thought it quite consistent with the duties of his station, as Judge of the United States District Court, to write Mr. Jesse Hoyt at New York, directing him to call upon Recorder Riker, a Judge under the State authorities, and get him to aid Van Buren and the party by using his influence with Senator Burrows, to induce Burrows to turn the scale in the Senate Chamber at Albany, so as to prevent the passage of a law giving the choice of electors of president and vice-president to the people. The legislature in those days chose the electors, and Mr. Van Buren feared that the people might choose Jackson electors, and thus defeat Crawford. He managed the Senate so as to defeat Governor and Assembly, who were for the bill.

[post mark, Albany.] Jesse Hoyt, Esq., Counsellor at Law, New York.

Albany, 11 January, 1824.

Dear Sir—Mr. Latham A. Burrows of the Senate, I understand, read law with Mr. Riker, the Recorder, (at any rate he is attached to Mr. Riker), *Burrows is considered doubtful* on the question of changing the law for the appointment of electors. Now Sir, if Mr. Riker is in sentiment with us, *his letter to Mr. Burrows on that subject will have great influence*, and you may be assured that every vote is important to prevent the change contemplated. Cordially,

R. SKINNER.

Mr. Roger Skinner opened his law-store at Sandy Hill, and when Mr. Butler broke down in credit and character, as Jacob Barker's man of all work there, Skinner removed to Albany to be a judge, and turned over his papers and office to his friend Butler. In 1821, this grasping partisan was at the same time U. S. District Judge, a Senator of N. Y. state, a Member of the Council of Appointment, and also of the Court of Errors. Mr. Van Buren took pay at the same time, and acted as State Senator, a judge in the Court of Errors, a Lawyer pleading before that court, Attorney General of N. Y., and a practising attorney, ready, as his son politely puts it, to do, "any body's dirty work." Did I not keep before me the choice of Judas Iscariot as one of the twelve apostles, I should scarcely forgive the freemen of America for placing Martin Van Buren among our eleven presidents.

## CHAPTER XXIV.

*"Get up the Workies." "A very good plan of a Bank." C. C. Cambreleng un-  
cloaked. His course last war. He sets up for Congress, and wears two faces at  
Washington. The Veto and Deposit System. Mr. Duane. The Specie Clause.  
A National Bank. George M. Dallas. Silas Wright.*

The Presbyterian Church, of which Mr. Butler is such a prominent member, holds to the doctrine, that at the day of judgment, [which Mr. Miller, whom Col. Young speaks highly of, believes to be near at hand,] the sins of the righteous will be all proclaimed to the assembled world, and that the saints will vie with each other in anxiety to confess their most secret and shameful vices and crimes, in order that Christ may obtain the greater glory through their pardon for his sake. Though less disposed than Mr. B. to mix up politics and religion, I would mention that I but anticipate a little his own wishes, according to his own creed, by stating with great candor here what he has said and done elsewhere. Many biographies are mere puffs and panegyrics, like that which he urged Mr. Hoyt to coax "the Young Patroon" out of, in order to gull the Albany Dutch, and make more plunder to his relative, Barker, out of the Washington and Warren. I am ambitious to be impartial.

Mr. Butler is known as the reputed author of some of the most violent of Jackson's State papers against the bank—as his most steadfast counsellor, (except Kendall), in its destruction. Compare this with his conduct in 1824—his petition of '26—and his letter of '34, in my last chapter. How the Ex-Cashier of Jacob Barker sneers at the *experience* of Taney and Gallatin! "Uncompromising hostility to the present bank," exclaims Lorenzo Hoyt. "Get the Workies to be up and doing,"\* says Cambreleng to Jesse. What are they to do when they are up? Put down one anti-republican bank, and branches—get plunder for our party—and raise other banks of a still more dangerous character, on its ruins!

"Mr. Tibbets," says Cambreleng to Hoyt, Feb. 1832, "sent me a very good plan of a bank." What was it? Look in the New York papers of that date—they record Mr. Tibbets's "very good plan," that pleased Mr. Cambreleng, the pretender to the principles of Jackson.

Mr. Tibbets's plan, which suited Cambreleng, was for a bank to be located in New York, as "The National Union Bank," with a capital of 35 millions, which would begin business the moment the charter of the Philadelphia bank over which Mr. Biddle presided, had expired. It was to have branches in each state of the Union, with the consent of its legislature, was not to circulate *more than 35 millions* of its paper at once, and to have the deposits, be the pet, keep the public treasure, allow three per cent on government deposits, (charging, of course, 6 or 7 for loans,) and its notes were to be used in payments to the U. S., the army, navy, &c. "A very good plan of a bank" this, quoth the *commercial* representative of New York, in his secret missive to his brother speculator. Yet he publicly denounced what he secretly desired—and wrote Hoyt soon after "that it would be well enough to let

\* "Get the Workies to be up and doing." What were they to do, Mr. Cambreleng—what was your object? To place one million of the public treasure in the Commonwealth Bank, Boston—twelve millions more in the Manhattan, Mechanics, and Bank of America, N. Y.—two and a half millions in the Girard Bank, Philadelphia, (little good it did it)—\$2,649,596 in the Planter's Bank, Natchez—\$1,662,744 in a couple of pots at Detroit—and raise Corning's, Olcott's, Bronson's, Crosswell's, Vanderpool's, Dudley's, Marcy's, Butler's, Dix's, and Porter's stocks in the Safety Fund Banks created in 1831 and '32. The new stock awarded to these ten men in these years was, at par, worth over \$200,000, and at 15 per cent, (the average gain as per Marcy), they gained \$30,000 from this speculation alone! The way they got the stock is shown by a letter, Dr. Maxwell to Zeno Allen, the P. M. at Sackett's Harbour, N. Y., dated,

ALBANY, January 7, 1832.

Dear Judge—Yours just received. There are more applications for Banks this year than ever before. You must make out a complete list of directors, officers, &c. and if obtained you must know now. It must be a Jackson Bank; and the Bank junto in this place, must be allowed a finger in the pie. Yours truly,  
PH. MAXWELL."

In 1833 and 1834, a part of the same men got other \$200,000 worth, and cleared the same profits. It is a fact that the deposits in Olcott's Bank, Albany, raised its stock 50 per cent. above par. The Workies, then, were wanted by C. C. C. to play second fiddle to a band of crafty speculators—and when many of the new made banks were "sucked" by the few, they would be shut up till they had "sucked in" the many. Let D. D. D. be a Bank director, with \$5000 stock, in such a Bank as "the City" in Buffalo. He borrows \$50,000 for four months—his colleagues borrow in same way—the bank breaks as they meant it should—each loses his stock, 'tis true, \$5000, but he buys the notes of the bank at 15 to 50 cents per dollar, pays his \$50,000 debt with \$12,000 to \$25,000, and makes \$30,000 to \$38,000 by the operation!

the plan Mr. Tibbets had in view alone for the present"—let Boston and Portland ask Congress for a bank, said he—*New York can appear to follow*, "but on the plan they (Tibbets & Co.!) propose." If the citizens of this state do not arise in manly indignation and put down the faction I now describe in their own language, their criminal apathy will surely prove fatal to their children's happiness.

One great object with me, in this publication, is to prevent some of the artful, heartless and intriguing speculators who usually find their way into our great conventions for improving the constitutions of states, from being chosen to sit in that which may assemble next summer in Albany. I therefore mention certain facts many months ahead, not to entrap but to leave room for the fullest inquiry.\* If I fail in preventing such men as the Van Burens, Cambreleng, Butler, &c., from being chosen by some constituency, I wish in some degree to weaken their evil influence by a reference to the deceptions they have practiced. Mr. Butler's statements as to the ability of the Washington and Warren Bank to redeem its notes were clearly a fraud. It was obtaining from the honest farmers and mechanics the fruits of their lawful industry for dishonest bank paper, under false pretences. Success in such schemes has induced him to persevere as a politician. My wish is to change the system that impels forward such men as him into a dangerous path, and to turn their industry, energies and abilities into a nobler channel. I regret that I must speak plainly some very disagreeable truths—but it is my duty.

Churchill C. Cambreleng is a native of the Carolinas, has a brother a lawyer in N. Y., and had another who was a lieutenant in the navy. I am told that, in 1812, when warned to do militia duties, he raised a plea of bodily infirmities. That he cared nothing for the country, its honor or rights, is shown by his course.

In 1813, Mr. C. was not found in the ranks of his gallant countrymen, but abroad seeking gain. That year he sailed for Europe as supercargo of the ship *Hannibal*, which was owned by his friend John Jacob Astor, and obtained a special English passport, to take out General Moreau to fight for "the holy allies" against freedom every-

\* Are credit, and paper money useful? Is it right to take away the paper money without taking away the debts and obligations contracted in it? If a specie currency is essential to the public welfare, how shall debts and obligations contracted in the paper of a thousand banks be equitably adjusted to a specie standard? Is the unstrained use of paper as money a grand source of existing evils—and if so, what is the remedy? If a paper currency is necessary, ought not the national promises to pay have a preference over those of 1000 privileged companies? If interest is to be paid on promises, why not pay it to the nation? If banks are necessary to issue paper, and as a special fiscal auxiliary, (which I do not believe,) would not one bank, on a democratic basis, be infinitely preferable to a multitude of institutions, flooding the country with their unstable promissory notes, and then uniting in a general bankruptcy and buying up by brokers, their own obligations—each dollar at 10 to 60 cents in specie?

The framers of the United States Constitution, may be charged with the terrible evil of slavery, but are not to blame for the misery which an unsettled paper currency has entailed upon the Union. So far from dreaming that "the general welfare" would require a bank wheel, or that Congress would be compelled to sell a part of the sovereign power over the currency to a private association of stock-jobbers, capitalists, &c., and then give them the public purse as a stock to trade upon, they absolutely forbade Congress ever to create a monied corporation, and prohibited the States from coining money or issuing bills of credit.

The Constitution, however, has been set at nought—Congress has twice sold to corporations it had no power to create, the authority to issue its paper as the money of the State—and the several states, though forbidden to meddle with the currency, continue to sell to chartered associations the privilege to issue their paper as circulating money, a thing that even the States themselves cannot lawfully do.

The results of this disregard for the supreme law of the Union are expansions, revulsions depressions, suspensions—misery and distress to millions, periodically, where God, nature, and the constitution have bountifully provided for peace and plenty to all.

I say not writing an essay on currency—but it is evident that the paper of a thousand irresponsible associations—the selection by politicians in power, of some thirty or forty banks, in which to deposit, in the absence of a treasury, the public revenue—to be by them lent to partisans for land and stock operations or personal and political gain—and the unnatural forcing of commerce and inland trade, built on this frail fabric—these certainly are not a finality. We have not yet got to the cul de sac.

I want to show what feeble men, like Governor Marcy, and cunning men like Messrs. Cambreleng, Lawrence, Van Buren, Butler, Wright, Flagg and Croswell have done—that

"Even here already patriots learn to steal  
Their private perquisites from public weal,  
And, guardians of the country's sacred fire,  
Like Afric's priests, they let the flame for hire."

It signifies but little that we give the people a larger share than France and England in the theory of our representation, while the real power is in the hands of an ignoble stock-jobbing oligarchy, who, by their ability to make their paper shakels more or less numerous, or to unite to redeem or not redeem them—to hire editors, attorneys, yes, statesmen and state legislators, to puff their deceitful system, can, for a time, make manufactures and real estate dear or cheap at will, lower or raise the value of labor, make speculation as extensive as life, and transform a Jeffersonian democracy into a nation of gamblers, and our land into one great gaming house, where all are forced to play, while but few can understand the game, and still fewer are in a condition to avail themselves of their knowledge. The Frenchman, in 1794, was compelled to receive the assignat at par—the American has a wretched imitation of a safety valve in the Wall street broker's bank-note price current, variable as the wind or woman's fancy.



where. Under his management, the Hannibal *changed her colors*, and he continued abroad trading in her until about the close of the war. On Monday the 7th of Nov. 1814, the patriotic C. C. C., arrived at New York, in the Hannibal, under Prussian colors, 50 days from Bremen, with a full cargo of iron and German goods, consigned to him. Mr. Wm. B. Astor was his fellow-passenger. Mr. Cambreleng turned commercial commission broker in New York—added politics to his avocations, by way of variety, in 1820—stood out for slavery in Missouri, and the “peculiar institutions”—and in 1821, being without family or incumbrance, offered his services to represent New York in Congress, declaring, through the National Advocate, April, 1821—“I am opposed to slavery, or an extension of slavery, in whatever shape it may appear.” Was this true? His votes in the teeth of his principles are the surest answer.

We have seen that, while openly advocating the destruction of the United States Bank, and denouncing all national banks as evils, he was secretly planning the establishment of one, on a gigantic scale—that while, with consummate hypocrisy, he was denouncing “exclusive privileges,” he was openly strengthening that system through the deposit or pet banks, and anticipating the vast gains on shares and management and jobbing to be got out of the new “mammoth” whose “exclusive privileges” he and his confederates would have for sale. The United States Bank had 25 branches, or banks, associated with it—it desired to establish another, and hesitated between Rochester, Oswego, and Buffalo. Mr. Cambreleng was employed to look at the locations—and he did so, and reported, for a fee of \$1000.

Let the honest farmers of Long Island, and the liberal merchants of New York, compare his *public* language with his secret instructions to his needy and corrupt instrument, Mr. Hoyt.

On the 23d of Oct. 1832, Mr. Cambreleng thus wrote to M. M. Quackenboss and others:

“The veto of the President on the bill to renew the charter of the Bank of the U. S., will be long and gratefully remembered by all who feel the necessity of adhering to *constitutional principles*—who deny the wisdom and justice of *exclusive privileges*—and who believe it unsafe to arm government with dangerous and unnecessary power.”

Mr. Cambreleng's secret letters to Hoyt, in favor of a national bank, *with exclusive privileges*, are dated on the 12th and 14th of February, 1834. Just one month before that, in a reply to Mr. McDuffie, which fills six columns of Dwight & Townsend's Advertiser, he talks as follows on *the other side*—

“No effectual reform of the banking and currency of this country can take place *till we abolish our national bank note circulation*. That, sir, is the first step. The next will be the restoration of our gold currency.”

This helped Van Buren to hoodwink Jackson, who was really sincere in his desires for a specie currency. His courtiers were the very basest of hypocrites, the most consummate of knaves. In Sept. 1837, Mr. Polk placed Cambreleng at the head of the chief committee of Congress on Finance. When the bubble burst Van Buren had the reins, and Jackson wrote from the Hermitage, July 9, 1837—

“The history of the world never has recorded such base treachery and perfidy as has been committed by the deposit banks against the Government, and purely with the view of gratifying Biddle and the Baring, and by the suspension of specie payments, embarrass, and ruin, *if they could, their own country*, for the selfish views of making large profits by throwing out millions of depreciated paper upon the people—selling their specie at large premiums, and buying up their own paper at discounts of from 25 to 50 per cent. and now looking forward to be indulged in these speculations for years to come, before they resume specie payments.”

This was the very course that Butler, Barker and the party had pursued, meant to pursue, and now steadily follow. The wonder is that the *professions* of their leader deceived so many of us. Jackson's wish to restrain the vicious, fraudulent bankers was noble—but why did he remove Mr. Duane, his true and tried friend, when the latter advised a thorough enquiry by a committee of Congress into the whole banking system, in 1834, with a view to a permanent system of finance, apart from all banks? When, in 1837, the banks had got the plunder, when their vaults had been emptied by speculators, and no treasure remained, Mr. Van Buren pre-

\* Mr. Polk and his trading cabinet have selected a corrupt stock-jobber, the president of one of the very worst of these fraudulent institutions, thus justly condemned by Andrew Jackson, as Collector of Customs at New York, and his, (the collector's) bank and others of the ‘treacherous and perfidious’ depositories of 1836-7, are actually re-chosen by Mr. Polk, in 1844-5, to play over again, of course, the same dishonest game.

tended great anxiety for iron treasuries to hold the specie—but here again all was hollow. Mr. Hoyt's money, under Mr. Van Buren's direct superintendence, was left at the banks kept by Joseph D. Beers and Cornelius W. Lawrence—the specie clause was only talked of, to please “the Workies,” and such men as Col. Young, till after the election! Mr. Hoyt did not dream of enforcing it for a single day. The relative positions of Hoyt, the Van Burens, and other pretended specie advocates, I have already shown. Mr. Duane's course relative to the great question of finance on which he was called to pronounce a judgment, as secretary of the treasury, was beyond all praise. His reasons were powerful—his views of the future correct—his references to the past full of warning. How much was lost to the country when Jackson turned from the counsels of this truly great and incorruptible statesman, to follow the interested advice of a corrupt Van Buren and his able and artful confederate, Amos Kendall, so as to become “the mere purveyor of hungry and discordant factions!” Give me the key of the Treasury, said Jackson, and the Russian embassy shall be your rich reward. Not for such a purpose, was the reply, but you may seize it by force. It was so done, and Duane's too servile successor sits in the centre seat of the bench of justice, in the Supreme Court of the Union.

Although Mr. Duane refused to go to Russia, the too complaisant Cambreleng, in due time took that \$18,000 pleasure trip, which may be considered an improvement on the English “Chiltern Hundreds!”

Let us select one or two extracts from his speech of Jan. 14, 1834.

“Of all the currencies that were ever contrived by man, the most vicious in principle, the most calamitous in its effects upon trade, the most detrimental to the public interest, and the most unsafe, as it respects the preservation of a metallic currency, is that which is founded on the credit of a national bank, not only connected with the finances of a government, but like ours, involved in all the fluctuations of every species of commercial credit and dealing in them upon a national scale.”

“It is a common opinion, too, that a national bank prevents the multiplication of State banks. It may be so, sir; but if it is, it is contrary to principle, and in this country and in England contradicted by experience. It is true that immediately upon a dissolution of a national bank, there will be, as the gentleman from Pennsylvania has shown, an unusual number of applications for State institutions; but in a long series of years, the tendency of a national bank note currency is more powerful than all our local circulations, in constantly impelling trade, banking, and every species of credit and speculation beyond those prudent limits, which, without the agency of such an institution, would usually be prescribed by the annual and steady accumulation of the capital of the country.”

He concluded by saying—“do not entail upon posterity the calamities of a national bank note currency, and lay the foundation of another revolution in your government.”

Go back now, read once more his letters to Hoyt,—despise, and have done with him.

Mr. George M. Dallas's father was a very corrupt politician. He was one of the pillars of the system of doing the treasury business through a national bank. His son, too, was a warm advocate of the 35 million charter of 1816. In Feb., 1817, he was appointed attorney to the U. S. Bank; and in 1844, named by the veteran well drilled actors of the *democratic* Baltimore Convention, for Vice President of the Union. Mr. R. J. Walker, a great man in the Jackson ranks, and Mr. Polk's secretary of the treasury, is said to have got a new light in 1843, and written to a friend from Natchez, in favor of a third U. S. Bank! When he accepted the office of U. S. Senator for Mississippi, he issued a declaration in this form—“I am against the whole paper system; against it as destructive to morals, dangerous to the liberties, and ruinous to the true interests of the American people—the very foundation of banking institutions is based upon fraud and fiction.”

Silas Wright, Governor of New York, is fifty years of age, a native of Vermont, and a resident of St. Lawrence County. Lorenzo Hoyt was long law agent to Mr. Wright, (who is by profession a lawyer,) and his brother Jesse has long been his coadjutor and intimate friend. Well knowing his habits and circumstances, Mr. Wright was a strong advocate for giving him the control of the Custom House. In 1824, Mr. Wright, in the Senate, voted with Jasper Ward, A. C. Flagg and the Van Buren party, to turn De Witt Clinton out of the office of Canal Commissioner, though he sat there without salary, was the soul of the canal project, and Wright's party had the other commissioners on their side. It is necessary to read Mr. Butler's private letters to comprehend the spite the faction felt in life towards Clinton, whom in death they all but deified. As Governor, Mr. Clinton originated the plan of revising the statutes—many real improvements in the law practice are of his suggestion—and, agreeing with Brougham, Bentham, Romilly, and the great law authorities of England, that a clear, precise code

of law, for civil and criminal matters, as well as uniformity of procedure in the courts, would be a precious boon to a free people, he urged it on the legislature in his message of 1825. Van Buren and Butler, liking the confusion of feudal precedents called *Common Law* better, nothing was done. Mr. Wright was for the bank and Crawford and for Jackson, and the political pets in turn—then for the sub-treasury. In 1834, "he was wholly unmoved by the alarms that had been sounded as to the insecurity of the deposits banks"—in 1837 he was moved somewhat, and aided in sending Jesse Hoyt into the modern Grecian temple on Wall street, as high-priest of the grand sub-treasury of the Union, in Lawrence's and Beers's banks. He was a delegate to the Herkimer Convention of Sept. 8, 1829, where Theron Rudd, Aaron Hackley, N. Garrow, John W. Edmonds, R. H. Gillet, &c., nominated Enos T. Throop for governor, and has had pity on Mr. Butler's *pauper* protégé, and placed him on the bench. In 1828, he aided at Herkimer in nominating Van Buren as governor. He is of the section of Van Buren's followers who are for a high tariff. He introduced into the House of Representatives the tariff of 1828. I liked his vote for John C. Spencer as United States Judge, because the real objection to him was his hatred of slavery. Proscription by slave owners, whose ignorant negroes are counted in the federal representation, in the teeth of the declaration of independence, and in mockery of all representative government, which is either founded on intelligence or useless, I do not like. Their weight in Congress was against cheap postage, too, although even the whites in the south comprise the great majority of that 500,000 of 20 years and upwards who cannot read their A. B. C. nor write their names. I would neither proscribe John C. Calhoun nor John C. Spencer—nor did I like the result which placed a very inferior person in Smith Thompson's seat. Though opposed to Texas, if with slavery, Mr. Wright was warm for Polk as president, who would not have Texas unless filled with men and women in perpetual bondage. In Jan. 1824 he was sent to the Senate pledged to give the people the direct election of electors of president, but to serve a faction he moved to stave off the question till Nov. Like Mr. Butler he wished to avoid Samuel Young as a candidate for Governor. He is good humored, able and shrewd—and *the company he keeps* will tell his country what he is.

Extract of a letter, Lorenzo Hoyt, at Albany, to his brother Jesse, at New York—dated Feb'y. 28, 1824.—"How are the democrats in New York pleased with the movements at Washington? Does not Calhoun's bolting in favor of Jackson AUGUR BAD, inasmuch as Jackson may, and I apprehend WILL, BOLT in favor of Adams? If things take that course, and Clay's friends will not yield to Crawford, I fear that Adams will be the strongest man. However, I strongly believe that Clay's friends in this State will, if necessary, abandon him, and cast their weight into the scale of Crawford," &c.

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## CHAPTER XXV.

*Cornelius W. Lawrence—his political career—on both sides on the Bank—for Van Buren—for the Sub-treasury—for Texas—Mayor, M. C., Bank President, Chamberlain and Collector of Customs at N. Y.*

Cornelius W. Lawrence was a director of the United States Bank branch in New York in 1827. In 1834, he was as much a "bank man" as in 1827, but he had by this time got a hint how his personal interests might be advanced by voting with J. K. Polk in Congress against the Bank. He did so, and for the distribution of the public treasure to favorite State banks—then went home—had for his share a two million charter in 1836, with two millions capital, and two millions of dollars of the national treasure put into it, but not at interest. He himself, with Morgan L. Smith, and other "trusty cronies," were the commissioners to "distribute said capital stock." If the confederates got on their stock the profit calculated by Mr. Marcy, viz., 15 per cent, it would make, on 20,000 shares at \$100, \$300,000. All the stock was paid in by the shareholders, in gold and silver, the U. S. Treasury gave them other two millions for safe keeping, and nine months from the day it opened its doors, to wit, in May, 1837, it shut them again, refused to pay its debts either to people or government, in lawful money; speculated with its funds, and if I would say that it didn't, or that its

directors didn't, buy up its own depreciated paper at a discount who would believe me? Those who know Mr. Lawrence's pure disinterestedness, and who can credit the assertion that there was no bargain in 1834 to give him, for a pet bank to be started in 1836, sixty tons of government specie or its equivalent, but that he voted (as he says he did) contrary to his conscience, from conscientious motives, may do so. On the 26th of Jan'y 1834, he wrote his friend Hoyt of his fears that those he was acting with were "going too far against a national bank." On the 31st of same month, it was his opinion "that a national bank would be useful to the government and country," under proper restrictions, *of course*.

On the 18th of Dec'r 1833, Mr. Binney presented the memorial of the U. S. Bank, stating that for one and a half millions paid to the government, and other considerations, the bank was to be the U. S. Treasury during its term, and complaining that the public monies had been wrested from it and given to pets thro' the Union, who had paid nothing at all. Mr. Polk moved that it should go to his committee, known to be unfavorable, and Lawrence and Cambreleng voted with Polk.—Mr. Selden, Lawrence's colleague, on 3d Feb. '34, presented a memorial from New York, praying the renewal of the Bank charter, and the restoration of the deposits. Selden moved its reference to a select committee, who could hear reasons and report. Lawrence voted with Polk, C. P. White, Gillet, and Vanderpool, to give it its quietus in his (Polk's) committee. On the 17th of March, a highly respectable memorial from Boston was offered for the Bank. Mr. Gorham moved to print it *with the names*. Mr. Polk said he was willing to print the memorial, but wished to suppress the names of the signers! For once, and once only, Lawrence left his mentor, and voted with John Quincy Adams to print the whole. On the 4th of April it was put to vote, ought the U. S. Bank to be re-chartered? Lawrence, Cambreleng, Polk, and Vanderpool voted No. C. P. White and Selden did not vote. Next, the resolve was put that the deposits ought not to go back to the Bank. Lawrence, Polk, Gillet, J. Y. Mason, and Cambreleng were ayes. D. Selden, E. Everett, Geo. McDuffie, and J. Q. Adams were noes, and they were right. Campbell P. White kept below the bar. Then came the *home vote*, Resolved that the State banks ought to be continued as places of deposit for the public money: and Polk, Lawrence, Vanderpool, Cave Johnson, Cambreleng, Cramer, and S. Beardsley were ayes. Selden, J. Q. Adams, Lincoln, E. Everett recorded their names against this great injustice. C. P. White kept out of the way. It was next proposed to appoint a committee to inspect the bank books, see who had got its favors, and find whether it had violated its charter. Selden voted for enquiry, C. P. White and Lawrence were absent, Cambreleng said yea, and the com. was organized. On many other important questions, Mr. Lawrence, in some 50 or 60 days, never gave a vote. His pay was drawn, I presume, \$8 per day, as if he had done his duty, by being present.

Cornelius W. Lawrence, it is said, was bred to farming work, and is of a Long Island quaker family. He and his brothers Joseph and Richard M. were New York auctioneers, and made money in the house of Hicks, Lawrence & Co., retiring before it became bankrupt in 1837. Their brother Richard was, I understand, made a bankrupt, but his wife, (Jacob Drake's daughter,) has a little fortune of \$60,000 which his creditors would miss. Cornelius is an old man, of large size, and very fond of champagne. His first wife was a rich sister of David M. Prall. On Feb. 15, 1819, he was married again, to Rachel Ann Hicks, a daughter of his partner the auctioneer (now not wealthy.) He has been a great speculator in Bank stock and cotton, and I am told that his son voted last election for Mr. Clay. Mr. L. has been twice or thrice Mayor of New York—been member of Congress (1832, '3, '4)—got the two million bank in Wall street in 1836, the presidency of which, to save appearances, he has handed over to his brother\* Joseph, together with the city chamberlainship, when he (Cornelius) got possession of the collectorship of New York—it being convenient to hold as many lucrative places as possible in one family. Joseph is, I believe, of the firm of Lawrence, Trim-

\* As matters now stand, Secretary Walker, having a right understanding with Mr. Polk, designates the treasury banks. The Collector of N. Y. being informed on the subject, Mr. L. M., owing \$30,000 duties, payable to-day in cash, goes to Lawrence's bank, or the one most friendly to him, and gets a note discounted to cover that sum, writes a check for the \$30,000, which the teller marks "good," and L. M. pays it at the Cashier's desk, in full of his duties. The Collector sends the check to the bank as cash—the bank charges the merchant 7 per cent interest, and gets it, too, in advance, but pays none to the government, though it credits the U. S. Treasurer with the like amount. Thus, without trouble, without advancing one cent, or running any risk, the bank gets \$525, (as 90 days interest.) How like this is to Butler's \$500 counsel fee from a defendant, or \$30,000 law charge for a motion on bonds known to be utterly worthless!

ble & Co., a large commission house, and married an heiress, a daughter of Alderman Townshend.

In July, 1836, Sam'l Swartwout presided one day at a great Texan dinner in this city—Gov'r Hamilton, of S. C., Gen'l Ripley, Mr. Calhoun's brother, Mr. Lawrence, and many other "friends of the Texan cause," were there. A character for friendship to Texan annexation and an increase of the slave power in Congress, is useful to those who would fill lucrative offices in the gift of the federal government. Anti-Slavery democrats must look to Albany.

As a speculator in Bank Stock, Collector Lawrence was always a follower of Van Buren. He followed his lead in the U. S. Bank war—got paid—was one of the signers of the N. Y. com. of citizens at Tammany, who took sides with Van Buren when the Senate rejected him as minister to London—was one of the State electors of President when Van Buren was nominated in '36—John V. B. made him "run like the cholera," as mayor, with the help of Marcy and the six million message of 1834. On the 25th Sept. 1843, the "conservative" C. W. L. was one of Van Buren's Sub Treasury Vice Presidents for the 6th ward at the great meeting in the Park—and will be ready to aid the initiated in any scheme to raise more stocks for speculation, state or national, by which "the Albany Dutch" may be eased, according to law, of their spare dollars. When the Glentworth papers were seized, Mr. Butler addressed notes to the select, "Varian, Lawrence, Bowne, and Allen, to meet him on business of great importance." These, with Hoyt, Morris, and Stephenson were trusted with the great secret—and when it was told about that Lawrence, Fish, and Alley had said it was all a hoax, Mr. Bryant in the Post, gravely contradicted the error, by authority. Ritchie said in the Union, that "no appointment could be made more satisfactory to the democracy of all classes than Mr. Lawrence," and the Albany Atlas set forth his "integrity and great personal worth." Mr. Lawrence informed the public, thro' Mr. Sullivan's Morning Post, of his acceptance, he having been "voluntarily selected by the President, from his acquaintance with him as *fellow democrats* (!!!) in Congress." The Evening Post responded, using the words—"integrity," "character," "confidence of the party," and so forth.

William Leggett, in page 608 of vol. 1st of his Plaindealer, asks, "Who made C. W. Lawrence, and Gideon Lee, and George D. Strong, and Walter Bowne, Presidents of Banks? Were they appointed solely in reference to their ability in financial transactions—or was the office given to them as a reward for party services and sacrifices?—We have too long submitted to a system of banking founded on political capital, instead of money capital. We protest against the creation of exclusive privileges for the purpose of paying these men for their political services."

Mr. Lawrence's character, and the recommendations to office already quoted, are evidence that he will make that vast and costly machine, the Custom House, serve the purposes of the knot of political speculators with whom he is connected. Prosper M. Wetmore is his most intimate adviser, and a *most suitable one*. On the 24th of Dec. 1834, C. W. Lawrence, R. Riker, John L. Graham, and George D. Strong, wrote to John I. Morgan and others, Washington, (the fall election being over), desiring an inspectorship for Abraham Le Foy, because of "his assiduity and efficient influence as a member of the democratic family." It would, they add be "a favor to ourselves." Give him \$1095 said Swartwout, and it was done.

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## CHAPTER XXVI.

*Governor Marcy's Letters—on his Pantaloon—his War Services—his Election—the U. S. Bank—the Nullifiers—the Elections of 1832 and '35. S. D. Ingham on Clay and Anti-masonry. Flagg on Politics.*

Senator Marcy to Mr. Jesse Hoyt, New York.

[Private.]

Albany, 16th Oct., 1832.

My Dear Sir—Your letter of Monday evening I received this morning, and with it a breeze from the South, that gives some of our folks a chill.

The opposition pretend to have certain information that Ritner is elected.

Though we do not yet yield to this belief, still we are less confident than we were yesterday of Wolfe's Election.

As to the *Pantaloons affair*,\* perhaps I am not the person best qualified to advise.

Though the charge was right in itself, yet it must be regarded as an *unfortunate one*, because so easily turned into *ridicule*.

I showed your production to Flagg—he thought it very well, but seemed to think it was a little too formal. The enemy will have their laugh, but I hope it will not do much mischief.

The true explanation is simply this—

When Comptroller, I had always made war on *lumping* charges, because I was satisfied many frauds against the State had been perpetrated by them.

The law provided the payment of the Judge's expenses in holding the Special Circuit. I kept a particular account of them which was handed to the Comptroller.

While on this business some work was done on *Pantaloons*, for which the Tailor charged Fifty cents; it was entered on the account, and went into the Comptroller's hands without a particular reflection how it would appear in *print*.

*I feared no danger for I knew no sin.*

*I can not advise how it is best to treat the subject.*

The article in the *Argus*, headed, "*A very grave affair*," is perhaps as full an explanation as the transaction will admit of. But it will be well to connect it, if much must be said on it, with the great frauds and speculations of Holley, Van Tuyl, John V. N. Yates—(who I believe for love of me writes many of the scurrilous articles in our papers,) in appropriating about \$800 of Peddlers' License Fees, &c. &c.

Now as to my *War Services*, (a more agreeable subject,) I was out two campaigns—in 1812 on the northern frontier—belonged to the party which took from the enemy at St. Regis the first stand of colors taken in the late war, on land, and the first prisoners (about 40 in number.)

These prisoners were in a house built of square timber. I personally headed the party that took them—myself broke open the house, entered it, and took from the hands of the soldiers their arms, &c.

I care not how much *THIS* matter is handled, but rather they would let my *pantaloons* alone. I return your remarks. Yours, &c. W. L. MARCY.

*Judge Marcy to Mr. Jesse Hoyt, at New-York.*

ALBANY, 4th Oct., 1832.

MY DEAR SIR—Yours of yesterday is received. Before it came to hand I had determined to write to you in order to relieve the gloom which my former letter was calculated to cast over your mind. Information received since writing to you has considerably raised my hopes. V. Buren writes from the *infected District* that we shall gain there as much as we can lose in the other parts of the State. That we shall gain (speaking with reference to the last Governor's Election) I do not doubt—but the extent of that gain cannot be conjectured. I think it will be 3000 in the 8th District—and about 2000 in the 6th. Our recent news from Washington County is very flattering. *The FACTIONS there do not coalesce.* There is a reasonable hope that we shall be better off by 1000 votes than has been calculated. The proceedings in Westchester have dissipated the gloom that hung over that county. We understand that both the *Ward* and *Hunter parties* will support our Electoral Ticket and State candidates. The charter election here has nerved our friends, and inspired a determination to meet efforts by efforts. Upon the whole our affairs look pretty well, and success is in our own hands, but we must labour to keep it. I fear more for you in N. Y. than any other place. Your vigilance and vigorous efforts can alone save you from a disappointment. Davis's calculation in yesterday's C. & En. is, in many particulars, very wild. I have run over that calculation and made a note of deductions and additions, which I think

\* Governor Marcy's uneasiness at the joke about his patched breeches and barber's bill—the *Argus* article—Hoyt's essay—Flagg's opinion gravely taken—and the surmises against Mr. Yates, are proofs of the power of the press to awe official men—if the press were but honest, and the people possessed of intelligence and wisdom enough to see the importance of upholding an editor able to rise above the trammels of party. Mr. Marcy's praises about his *War Services*, seem to have been composed by himself. His other letters in this chapter show his views as to the election—the important position of Hoyt as the confidential instrument of the party at N. Y.—and the temper of the man. I like Marcy's and Flagg's letters, in the main. Under a better system, perhaps they would have been better men.

may be reasonably be depended on, by which I vary the results. About 20,000 a *pretty material variation*. I do not wish it exhibited. Indeed I believe it is rather an idle employment to be making estimates. The best rule is to do the work and *see the result*.

I am, with great respect, yours,

W. L. MARCY

*Senator Marcy to Jesse Hoyt, Esq., New-York.*

WASHINGTON, 3d June [1832.]

MY DEAR SIR—I have been shamefully negligent of my promise to you in relation to the result of the interview with my Albany friends. I hoped to be able to convince them that it was right and proper for me to adhere to the determination which I had communicated to Croswell; but I failed in doing so. They convinced me that there were more difficulties attending the selection of a proper candidate than had presented themselves to me. The result was that I am not to persist in declining now but am to be *let alone* if it can be done—as I think it may without injury to the party.

It would seem to imply (if it cannot be) that I am a mighty consequential fellow. You or any body else may think so if you will, but I do not.

*Webb has not modified and published your articles.* So long time has now elapsed, and the fever of those who called for me to come out has so much subsided, that probably nothing more will be said by him. How stand affairs in N. Y.?

There is a great effort making we learn by the manufacturing interest to get up an excitement on the Tariff—our friends from Albany and elsewhere thought it would not succeed. Bodies of manufacturers are flocking in here, and they appear about AS CRAZY AS THE NULLIFIERS—I think the extremes will unite and defeat all attempts at compromise.

Yours, &c.,

W. L. MARCY.

*Senator Marcy to Mr. Jesse Hoyt.*

WASHINGTON, Saturday.

DEAR SIR—I have this morning received a note from Webb, and I learn from the tenor of it that you had written to him on the subject which engaged us in two or three conversations. I find that our opinions of him were perfectly correct. Attacked as he is on all sides he is willing to attend to others as well as himself. I find my intimation to you is well founded that Bennett had been too sanguine in the matter referred to and had understood from me more than I intended to convey. Webb has undoubtedly every disposition to put things right and he ought to be permitted to do so to a certain extent in his own way—I have had full conversations with you and from them you can make to him such suggestions as will apprise him of my views. He may think I ought to write to him—and so I should perhaps—but I have two reasons for not doing so—the one is that if I should go over the whole matter as I did with you in conversation it would make a prodigiously long letter, and I am too much engaged to afford the time to write it, but the second is I have declined to write to all Editors on the subject (except one which I explained to you.) This resolution was early taken to preserve my position—to keep silent. He will appreciate my motives and I hope approve of the course, . . .

[The date—signature—and a few words of the conclusion, torn off.]

PRIVATE.

To the same.

Alb'y, 1 Oct. '32.

My Dear Sir:—I did not receive your letter of Thursday till last evening. I hasten to reply to it—though the answer will give you no pleasure.

I think our chance of success doubtful.

Although others are full of courage, I am not. I have looked critically over the State, and have come to the conclusion that *probably* we shall be beat.

I would not say this to you were I not perfectly confident that it will remain a *profound secret*.

All reports from New York are that we shall do better than you represent; yet I have distrusted them.

*The U. S. Bank is in the field*, and I cannot but fear the effect of 50 or 100 thousand dollars expended, in conducting the election in such a city as New York. I have great confidence in the honesty of the people, but it will not withstand all temptations. THE CORRUPTION OF SOME LEADS TO THE DECEPTION OF MANY.

You ought to look to the Upper Wards. I fear you will find defections among the active electioneers.

Though I speak so discouragingly of the result, I do not doubt, if money could be kept out of use, we should beat them. But it will not. Yet great efforts without money may save us.

I hope those efforts will be made in New York.

If I thought N. Y. would do as others say it will, I should say the chance is in our favour, but I feared such a result as you predict.

My advice is—*don't Bet YOUR MONEY, BUT SPEND IT*, as far as you legally can, to PROMOTE THE ELECTION. We are all determined to deserve success, and do not despair of getting it.

Yours sincerely,

W. L. MARCY.

J. Hoyt, Esq.

*Hon. S. D. Ingham, Sec'y of the Treasury, Washington, to Mr. Jesse Hoyt, N. York.*

WASHINGTON, 10th Nov. 1832.

DEAR SIR,—I thank you for the information in your letter of the 8th.

This Election, together with that of Pa., must kill Anti-masonry.

They will not again raise that flag in the nation, and scarcely in a State.

It will be driven back into a few counties—but Mr. Clay is also done; *however desperately he may fight in a forlorn hope, that is not the character of his friends.* They cannot again be brought up to the charge.

Yours with great respect,

S. D. INGHAM.

*Comptroller Flagg to Mr. Jesse Hoyt.*

ALBANY, March 26, 1832.

DEAR SIR,—You will have seen the proceedings of the Convention, and will, I doubt not, be gratified with the general results. Bowne had been the prominent man for a State delegate before the N. Y. delegation arrived, and a majority of the delegation agreeing upon him, it settled that matter at once. Your city delegation was kept back until nearly the hour of the meeting of the Convention—and Selden and a few mischievous spirits among your members, of the House, induced your delegation to believe that some contrivances adverse to the city were agreed upon here, and that they would have delegates forced upon them who would not be agreeable to them—and Selden did all in his power to throw the Convention into confusion. He was mistaken in his men, and only made himself appear factious and foolish. The strong vote of the Convention rebuked the factionists, and all things went off with the most entire unanimity, both in the Committees and the Convention.

The delegates to Baltimore I have no doubt form a unit in regard to any measure to promote the interests of Mr. V. B. and the Old Hero.

The political affairs of this State never looked fairer—there is some diversity of opinion as to a candidate for Gov., which will be settled at the Herkimer Convention—and the names of Jackson and Van Buren will get a triumphant vote and bear down all opposition.

Yours truly,

A. C. FLAGG.

*Gov'r Marcy to Jesse Hoyt, Esq., N. Y.*

*Private.*

ALBANY, 26th Jan'y, 1835.

MY DEAR SIR—I received your letter this morning on the subject of L. M. M. It is proper that Mr. M. and all other office holders in N. Y. whose feelings or whose conduct has gone with the Wigs should be fully apprised of my situation in relation to their appointments, and that they should be made sensible that they have contributed to bring about a state of things which prevent me from doing towards them as I have done heretofore and should under other circumstances do now. The principal auctioneers



partook of the madness and infatuation which last year seized the great mass of the Merchants—they aided in giving success to our opponents in the Common Council—they countenanced and some practised the proscriptive policy of that body—turned away their clerks, carmen, &c.—upheld the course pursued by the *Wig* papers—and cheered on the Common Council in *sweeping the decks* of all our political friends. The very men who have been *proscribed* in N. Y., with the expressed or implied approbation of those who wish reappointments, now surround me in *great numbers*, asking the places and commissions of the *proscribers*. What shall I say—what ought I to say to these applicants! Shall I send these victims of proscription, and *victims of the panic*, home, empty handed, to beg employment of those who have deprived them of it, and give commissions to those who are the authors or even the silent approvers of the course pursued by the Common Council and the *panic makers*? If I had but one hour of official life to live I should consider it my solemn duty to employ it diligently in protecting my political friends from persecution. My friends in N. Y. ought to look at both sides of this question before they advise a course of liberality which would be injustice to friends and, as past experience shows, *returned with ingratitude*.

Yours, &amp;c.,

W. L. MARCY.

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## CHAPTER XXVII.

*Thaddeus Phelps and the Free Bank scheme. His private report. Gallatin on Repeal. Leggett on Marcy. Letters, Marcy, Flagg, Cutting, and C. L. Livingston to Jesse Hoyt. E. Livingston. Message writing.*

The facts stated in my chapters on stocks and banking will have shown the reader that much of the anxiety displayed by knavish politicians, brokers, congress-men, bankers, governors, judges, &c., for national banks one day, and for state banks another—this time to have one set of men put forward—t' other time a different set, is, in the main, caused by the vast gains made by getting hold of fancy stocks, puffing this this week and that the next—or bepraising one thing that you may get another, as Van Buren did *hard* money, which served as a pretext for his hungry legions of officials to keep a few millions of *soft* money not their own—altogether.

On the eve of the election of 1836, Mr. Hoyt, with the secret promise of the *reversion* of the Custom House, should his captain gain the day, was indefatigable. All sorts of proposals were got up to please all sorts of people—and among others it was suggested that banking ought to be unrestrained. The knowing ones knew that the chartered banks would probably soon go by the board, and they were for securing a fresh batch of 'charters,' for sale before the general break up.

By reference to the N. Y. Evening Post of 19th Sept., 1836, it will be seen—that on the 25th of April that year, Thaddeus Phelps, D. B. Tallmadge, Saul Alley, W. B. Lawrence, Stephen Allen and Jesse Hoyt were appointed a Committee to obtain a change in the banking system by a repeal of the law, confining the stock and scrip banking craft to incorporated associations. Their first *public* report is dated 12th Sept., (Hoyt Secretary); they there state that "a portion of them" went up to Albany when appointed, and *attempted to get repeal, but could not*—and they go on with a tedious jargon about tyranny, freedom, naked deformity, &c., trying to make it appear that they had been unwearied in their efforts at undoing what Mr. Van Buren and his friends had so long made their money by—the monopoly of banking—so that every sovereign in the Union might issue his currency, and be a banker.

To me, a far greater curiosity is the above committee's *FIRST PRIVATE REPORT*, addressed April 29th, 1836, by Thaddeus Phelps to his precious comrade, Hoyt—and here it is:

Mr. Thaddeus Phelps, at Albany, to Mr. Jesse Hoyt, at New York.

"Dear Hoyt—We arrived this morning and have already accomplished wonders. *Our influence* has already made *Six Banks in the House*, (no fear of the Senate)

and by to-morrow night there is very little doubt we shall have made twenty or thirty more. You fellows who are in favor of the *Repealers*, may all now go to Hell in your own way. Consider your restraining law repealed. Consider me a partner in a Banking Company—I put in 2,000,000—Call on John Ward for the money. No more at present—Your loving friend,

THADDEUS PHELPS.

“Arrived on Monday morning.”

29 April.

“*Monroe* has sent in his allegiance—and go to the D—l. Boat off.

the Native American party. May T. P.”

This Mr. Thaddeus Phelps, a gambling, stock-jobbing character, was a constant signer to applications for office from Hoyt and Swartwout—and he and Coddington, Hoyt, (Lawrence, if I remember right,) Allen, Bowne, and the rest of the *leaders* in N. York, subscribed and paid \$20 each, in all \$440, to assist the circulation of the *Truth Teller*, and the *Sentinel*, papers that they perceived to be friendly to their side of the question.

I do not know which of the other members of the Committee went up with Mr. Phelps—but on referring to the Assembly's and Senate Journals, I perceive that the stir about bank chartering began at the very time he speaks of. That his and his friends' secret object was more banks, more stocks, more gambling, the above letter too clearly shows. Mr. Phelps's name is associated in the statute book that session, with those of Walter Bowne, and James McBride, (the director that borrowed the deposits out of the Manhattan to speculate on), a commission to distribute the stock of the Hamilton Insurance Company, and the stock of the 5th Ward Insurance Company—he is also made by law a director. Phelps is from Connecticut—a very old confederate of Hoyt's—and was examined by the commission appointed by the President in '41. He said, (Rep. page 290), that after Hoyt got the collectorship he paid large sums of his old indebtedness, and was embarrassed when he got the office. Hoyt had also been made a Danish Commissioner,\* a pompous way of settling matters the officials should attend to, but affording the means of bestowing doucers on “the king's poor cousins.” Hoyt, Coe and Butler were also made fire commissioners, I think in 1836, and earned a certain sum thereby. When Mr. Marcy lost the government of N. Y., he was made a Mexican Commissioner, but whether it *held out long* at the salary (\$3000 a year), I have forgotten, if I ever knew.

Mr. Albert Gallatin wrote a letter in the *Argus*, about the repeal—a yard long—Mr. Marcy wrote Hoyt to suggest or draw up a message for him upon repeal—and but few knew that the Governor's Message of January 1837, was a joint stock production of Jesse Hoyt & Co. Perhaps Mr. Van Buren penned a paragraph or two—for, says Hammond, in his *History*, “Mr. Marcy, from the time he entered the political field, had been the confidential friend of Mr. Van Buren.” Mr. Tallmadge and Mr. Hubbell's letters show that when Mr. Marcy had resolved not to endorse the sub-treasury in his message, he did endorse it. It is presumed the remarks he there used were sent him from Washington.

Well might the poet of the Seasons say, that—

Unblest by virtue, Government a league  
Becomes, a circling junto of the great,  
To rob by law; religion mild, a yoke,  
To tame the stooping soul, a trick of state,  
To mask their rapine and to share their prey.

There is no doubt left on my mind, that Mr. Marcy, in sanctioning the corrupt and corrupting legislation of his day, with his signature as governor, was well aware of the deep injury he was inflicting on the worthy people who had once, again, and a third time trusted in his honesty and oath as their chief magistrate. The few letters of his herewith published show some candor, and even talent, with a seeming desire for fairness. But what of justice do we find in his general conduct? Mr. Leggett knew him,

\* Washington, March 2, 1831. Dear H.—You and Winchester were *confirmed* to-day—I do not mean religiously, for although it might apply to General Winchester, who may be a very pious man, *you know it don't in that sense apply to you*—Simpson's nomination was rejected. Young Fulton's nomination as Secretary was confirmed.

We beat the Senate triumphantly about the proviso on the appropriation—both houses unanimously agreed to make the appropriation only in *another form*, and to strike out the proviso.

Sincerely yours,

C. C. CAMBRELENG.

and thus describes him, Vol. I. Plaindealer, p. 450. "He is a weak, cringing, indecisive man, . . . . the mere tool of a monopoly junto, their convenient instrument; and while he gives his sanction to their unworthy measures, we survey him with contempt, and can offer no better excuse for his conduct than that 'his poverty, and not his will consents.'"

What "small lights," such governors as Van Buren, Marcy and Throop are, when set beside the generous and ingenuous Clinton!\*

'Ch'ge to Gov'r—Jesse Hoyt, Esq., Counsellor-at Law, New York.

Albany, 24th Nov. 1836.

My Dear Sir,—You promised me *some illumination* on the subject of the restraining law or rather the repeal of it. I am informed that there is a *probability* that I am elected, and if so it will be expected that I send to the legislature a message—If you have any publications or other matters too cumbersome for the mail you can if you choose put them in the charge of one of the electors from your city. If you are extravagant in your notions, they will not be adopted—you expect as a matter of course they will be modified. I will not ask you to get what you write yourself copied because it is possible that some one may be found in this city or vicinity who will be able to decypher your hand writing.

I am, with great respect, your *to be obliged* and humble Serv't,

W. L. MARCY.

[This governor had sanctioned laws in April and May, giving more special privileges to newly chartered banks, and for the sale or disposal of their stocks. He now, in Nov.—Van Buren's and his own election secured—invites *Jesse Hoyt* to illuminate his benighted vision, as to the best mode of rendering *less valuable* the special advantages for which cunning or silly people had just paid cash to C. W. Lawrence, &c.]

*Jesse Hoyt, Esq., New York.*

Albany, Oct. 3, 1836.

Dear Sir,—The repeal of the restraining law, so far as to allow offices of Discount and Deposit, is universally assented to by town, county, district, and state conventions. To this extent a law can be passed with little opposition. If the issuing of Bills is added, so as to multiply without limit the manufactories of paper money, a new aspect will be given to the whole matter, and those who are opposed to any change may be enabled to keep things as they now are. If we can open the way, and build up a class of Banks which not issue paper, these will co-operate in making the currency more sound than at present; if they have nothing to make by the issue of small bills, they will not be aggrieved by seeing gold and silver take the place of the small bills. After the fetters are knocked off, and the new class of money-changers are "in the full tide of successful experiment," such other modifications may be made as experience may recommend, and as "the business wants of the community may require." *Repeal the restraining law*, refuse all banks, unless their stock is sold at auction, and *those who trade upon legislation*, (the hon'ble the lobby) will be blown "sky high;" and the scenes of *log rolling and corruption* would be replaced by a decent regard to moral and official purity, and a reasonable attention to the public business and the general welfare.

Truly yours,

A. C. FLAGG.

Mr. Cutting to Mr. Hoyt. [Albany], January 6, 1837.

MY DEAR HOYT,—Charles Livingston has sent you a copy of the bill to repeal the restraining law, reported by Mason in the Senate. The first section is all that ought to pass, but I suppose that being in the hands of the Philistines we must be thankful for any favors, no matter how small. Edward Livingston,

\* Mr. Butler speaks differently. He wrote to his friend Hoyt from Albany, August 9th, 1830, as follows:—"Mr. Van Buren stands higher throughout the State than he ever did—witness the toasts at the various celebrations. But if I were in his place I would trouble myself but little about the carplings of such men as you name—they can do nothing without him. What would have become of the opposition if it had not been for him? I will say more—if I was Van Buren I would let politics alone. He can be and will be the Erskine of the State, which is an ambition more laudable than the desire of political preferment. He yesterday opened a cause in the Supreme Court in the most concise, elegant, and convincing argument I almost ever heard."

IF I am afraid—has turned a sharp angle, and will come out Bank. See his vote to-day. Tomorrow he will be brought to the bull ring, and stamped as he deserves, if we should go into committee of the whole and he should participate in the debate. We beat them to-day elegantly.

Do you see who compose the committee on the repeal of the restraining law in our House? Ogden, Chairman! the violent opponent of the measure last year! the agent of the Farmers' Trust and Loan Company! the intimate of John L. Graham, Seymour & Co.! the guest of the former last spring in New-York, and his lobby friend at the Syracuse Convention! IF But we will defeat the gang. The restraining law will be modified—the usury laws partially repealed, and no Banks chartered. F. B. C.

[Post-mark, Albany.] Jesse Hoyt, Esq., Wall street, New-York.

Albany, Jan. 21, 1837.

I am inclined to think, my good fellow, that you are more than half right in the opinion expressed in your last letter—I have given the subject of private issues much anxious thought and I confess new light begins to dawn upon my darkened intellect—the clouds are fast breaking away and I should not be surprised if I finally determined to maintain even to obstinacy that a note of an incorporated bank was no better than the bill issued by a private solvent individual—I may have been deluded by the charm which too commonly attaches to a corporation, but the spell is nearly broken, and another night's reflection may metamorphose me into an inflexible advocate of shin-plasters—Some limitations and securities are indispensable to guard against abuses, for I cannot admit your theory to its full extent, that the people are under all circumstances capable of managing their own affairs. In some cases they must be protected against themselves. My distrust of their intelligence commenced when they elected such a poor devil as myself, and until they choose agents who will respect their feelings and their interests I will dispute their capacity to govern themselves. Don't disclose this heresy and above all don't let me see it in the Evening Post in the form of "an extract from a letter from Albany." Do you understand? In a few days we shall have under consideration a general plan for private banking, provided there is sense enough in Albany to mature one. It is designed to keep this subject distinct from the restraining law.

Cutting has just called in to say that he has received some letters from you and desires me to say that you must work harder and talk less. What impertinent language for a servant of the People to hold to one of his masters! Yours, &c.

CHA'S. L. LIVINGSTON.

## CHAPTER XXVIII.

*Letter, L. Hoyt to Jesse. Bowne fathers Butler's Report against the Tennessee Resolutions for Conventions by the people in place of Caucuses by the politicians. Letters, Butler to Hoyt. Open rebellion. Andrew Jackson. Letter, Gov. V. Buren to Hoyt, on Providence and Judge Swanton. Crawford on foreigners. Van Buren on Universal Suffrage. Looking ahead.*

Mr. Lorenzo Hoyt to his brother Jesse.

Albany, Jan'y 11, 1824; Sunday.

Dear Brother—I send you by this mail the Report of Mr. Bowne, on the Tennessee Resolutions. Mr. Butler wrote the report, and I leave it for you to judge of its merits and the correctness of its principles—but I presume, from the circumstance of your political views coinciding so exactly with Mr. Butler's, that the principles contained in the report will meet your approbation. . . . Mr. Gardiner, the other day, while the resolution of Mr. Flagg in relation to electors was under discussion, made an abusive and unjustifiable attack upon the editors of the *Argus* and *Advocate*, and by which he has incurred the indignation and disgust of every sensible man within his hearing. He accused the *Argus* of political inconsistency, in first advocating an alteration of the electoral law, and then in a few weeks after reprobating the measure as unwise and anti-republican. . . . The opinion that I always heretofore entertained, that Gard-

iner was a man of very limited talents is now irrevocably confirmed. . . . I must confess I was not a little astonished when I see who the New-York members were. I presume they are men of tolerable good sense, with the exception of Crolius and one or two others, but as for their abilities, they are, in my opinion, contracted.

Lorenzo Hoyt.

The State of Tennessee was friendly to Gen'l Jackson, and its legislature passed resolutions, in 1823, reprobating the practice of members of Congress meeting in *Caucus* and nominating Presidents and Vice Presidents of the United States, as an undue interference with the rights of the people. These resolutions were transmitted to the legislature of New York, (see pages 11 to 13 Senate Journal, 1824) and referred to Walter Bowne, Jonas Earll, and Perley Keyes. Benjamin F. Butler, being, like Van Buren, favorable to Crawford and the dictation of caucuses of party Congressmen, wrote a report, which the Senate's committee adopted and Bowne fathered and signed—(see pages 17 to 22, same volume.)

Mr. Butler, in this report, asserts, that the caucus dictation, by members of Congress, is a proper and constitutional practice—that in case the election should afterwards go into the House of Representatives, the members who may have recommended a candidate to the people in caucus are not thereby bound to vote for him themselves—that a congressional caucus is the most effectual mode for preserving an equality to the weaker States—that “there is no other practicable mode of concentrating public opinion”—that State nominations, by members of the State legislatures, the only substitute, are attended with serious difficulty—that a caucus of members of Congress forms the best primary agency for selecting candidates for the presidency, being a powerful combination of influential men, who follow a safe course of precedents—and that a congressional caucus next season is “peculiarly desirable.”

To me it is evident that unless the power of nomination is in the people they cannot be said to have the power of election. Mr. Butler's negative right which he is ready to assign to the people, of dissenting or approving when a president is proposed to them by a private meeting of 66 congressmen, as was the case in 1824, where only that number nominated Crawford, shows his innate dislike to democracy, which in such a case makes the millions sovereigns or dictators. Who that reads this volume will fail to admit that while the constitution may stand for ages a monument of the wisdom of its framers, the administration of it may be at the greatest possible variance with the spirit of its provisions! The Union had chosen some 240 legislators—Mr. Butler desired that threescore of these men should regulate the succession of our executive magistrates. The people had elected certain men to do their will—Mr. Butler desired that these men should contrive to make the people do theirs. All this, too, to crush Jackson, and secure the return of a U. S. Bank man! In a letter to Harmanus Bleecker, one of the gentlemen who, in Congress, most steadily opposed Madison and the war of 1812, dated Aug. 16, 1831, Mr. Butler talks thus—“His (Jackson's) high station—his venerable age—my admiration of his character, a sentiment imbibed in early life, and often expressed in print and otherwise, &c.

Jesse Hoyt, Esq., New York.

ALBANY, Feb'y 20, 1821.

MY DEAR FRIEND—

I hope the Council will soon finish all they have to do, as the excitement produced by their labors is very great, and the difficulty of pleasing everybody very strikingly illustrated. You will have seen by the time this reaches you, *that they have given me an office*—without any trouble or exertion on my part—or much on the part of my friends. The minor appointments for this city have given great dissatisfaction, and it is as much as we can do to keep the people from open rebellion. Of all this however say nothing—as I hope a few days of reflection will compose the angry elements. To judge from the violent expressions of those who are disappointed, one would think that our prospects for next Spring were rather blank—but you know it is the genius of Democracy always to be impetuous and sometimes to be rash. I have only time to say that you are always one of those for whose health, happiness, and future prosperity I feel the liveliest solicitude, &c. &c. &c.

B. F. BUTLER.

[To the same.]

WASH'N, Nov. 26, 1836.

MY DEAR SIR—The President continues to improve, and by Monday next, I trust, will be able to resume the transaction of business, though it must be with *great caution and forbearance—qualities for which he is not remarkable*—and hence the real danger of his condition.

Though we not the precise returns of any one of the missing States—yet there is no reason to doubt the election of Mr. Van Buren. Have not Virginia and North Carolina done nobly?

Truly yours,

B. F. BUTLER."

Governor Van Buren to Mr. Hoyt, at New York.

"ALBANY, Jan'y. 4, 1829."

"MY DEAR SIR—You need not, I think, have any apprehension about the message. The earliest allowable moment will be embraced to send you a copy; but that cannot be as soon as you desire. I thank you kindly for your letter, and beg you to write me always with equal freedom. I cannot consent to contribute by any act of mine to the prevalence of that great political vice, a desire to shun responsibility.

I shall do the best I can in whatever relates to my office, and leave the result to PROVIDENCE and the People.

Remember me kindly to Mrs. H. and believe me to be very sincerely your friend,

M. V. BUREN.

Does our friend L. Smith know that Judge Swanton\* has been recommended by the *élites* of the party in New York? I presume it is understood by him and all our friends *I do not see how I can avoid the appointment."*

## CHAPTER XXIX.

*Collector Hoyt's Gold Mine. The Georgia Legislature refused to charter "New Potosi." It gets privileged at Albany. A very pleasant feature in Georgia law-making. The brothers Butler helping Campbell P. White to borrow the Deposits from the Manhattan. Four Directors take \$600,000. Three millions lent on fancy stocks. Attorney General Butler goes to borrow at Baltimore. The American Land Co., or the Irish Middlemen of the U. S. Silas Wright, the Presidents, &c.—Origin of Anti-Rentism in Columbia Co.—Van Buren, Butler and the Antirenters, 1807 to 1812. Van Buren accused of urging them on and of deserting them after getting elected to the Senate. Fifty Farmers ejected.*

The object of the two armies who contended for tariffs to accumulate public treasure, congressmen who would evade putting the proceeds to public uses, Presidents who would never veto profligate expenditures or enquire about defaulters, and

\* Judge Swanton was an Irishman of the days of '98—General Jackson was friendly to Irishmen. Governor Van Buren writes to Hoyt that he did not see how he could avoid keeping Swanton in office, but he lets him know that he would have done so had not 'the élite of the party' taken 'other side. Van Buren had been true to Mr. Crawford in 1824, but the latter had made himself very unpopular by denouncing adopted citizens. He had said, that a "very effectual means of enlightening and civilizing the Indians, would be to encourage their marriage with our frontier white inhabitants, and that it would be more honorable to the government to do this, than to receive with open arms fugitives from the old world, whether their flight was occasioned by their crimes or their virtues." Possibly the gentleman is for an amalgamation of the wild Irish [says Binns] with the tame natives, to produce fit subjects for his reign when he becomes President! Mr. Van Buren remembered 1824—and those who forget it may find a passage like the following in Greeley's Whig Almanac for 1845—"Native Americanism struck us a hard blow.

Mr. Polk, on this single question, gained more than enough votes in the State of New York to elect him." Jesse Hoyt, in 1832, before the election, collected a \$20 a head subscription to get the Truth Teller, which admired Mr. Van Buren, more widely diffused. His opponents forgot that no class of men had stood more true to that eminent statesman, Clinton, than the Irish—and they abused them because they were deceived by the "Mormon of Kinderhook," who could at one time boast that he had never entered a Catholic chapel, and at another praise "the talents and virtues" of the Pope, "the head of a great and Christian church." Mr. Van Buren, when in the State Convention of 1821, did oppose universal suffrage, and—referring to the adopted citizens—declared, that among its many evils, "it would give to the City of New York about twenty-five thousand votes: whilst under the liberal extension of the right on the choice of delegates to this Convention, she had but about thirteen or fourteen thousand. That the character of the increased number of votes would be such as would render their elections rather a curse than a blessing; which would drive from the polls all sober minded people." He will not regret that speech should he obtain a seat in the Convention of 1846. His failure in 1824, and the accident of Clinton's death, which placed him on the steep ladder to the presidency in 1826, will not be forgotten. There is no

for state banks and national banks, with a paper currency, baseless and visionary as the Arabian Tales, was, as I have already shown, to keep up political influence with the millions, and to run riot in speculation at the expense of men of wealth and property. What did Van Buren or his 'followers' ever strive to carry through for the good of their country? Who can fail to see that the removal of the deposits paved the way, and gave the means for the *American Land Company*, increased the value of other bank capital, and gave an impetus to stock-jobbing?

Mr. Jesse Hoyt is, in his way, a Pizarro of the north—nay more he is a Cortez. The latter tortured the Emperor of Mexico, that he might get gold—the former tormented and beggared merchants of high standing in New York, for a like reason. Pizarro's ruling passion, like that of Hoyt and Butler, was gain. If the Spaniards got the treasure of Peru, Mr. Hoyt had the Custom House Treasury and New Potosi. The bible, through the priest, was the signal for the wanton massacre of the Inca's army, by a band of greedy fanatics, and the robbers of Atahualpa assembled to divide the spoils of an innocent people, procured by deceit, extortion and cruelty, distributing the wages of iniquity after a solemn invocation of the name of God! Mr. Van Buren, when he had attained the seat of Clinton, writes to Hoyt that he was to depend on "Providence" in his crusade against the treasures of us Americans, native and adopted; and this was very much, too, in the line of Butler—but the Hoyts did not deal in the nonsense of invoking heaven as the patron of villainy. This much as my introduction to Jesse Hoyt, in Georgia, digging for hidden treasures in New Potosi.

In Dec. 1830, Mr. H. McAllister wrote to R. Ward, Hoyt's law partner in Wall street, mentioning a man of science who might be employed in the gold region, examining a tract. Soon after Jesse Hoyt and others bought a 'gold mine.' On the 15th of May 1831, this McAllister and a Mr. Rich'd J. Arnold wrote from Savannah, that New Potosi was "the most astonishing place in all the gold region." On the 3d of June, the original value of "New Potosi" was increased from \$27,000 to \$38,000—and such a bungling accountant was Hoyt, that he and his partners, in giving their 'cash and notes' for an increased share, signed for \$6500 instead of \$2880. On the 11th, Hoyt wrote Arnold, "If we should be offered \$100,000 (for the mine) we should not know what we were selling." On Sept. 19, Hoyt proposed to ask Georgia to incorporate the gold miners near Gainesville—with shares—personal irresponsibility, &c. The Legislature, at Milledgeville, was applied to, accordingly, but Arnold and McAllister wrote from that place—"The stupidity of the majority of the members of the legislature surpasses conception"—half of them don't know what a corporation means—and a failure is apprehended. Judge Berrian, who had been Jackson's Attorney General, was friendly, they say, to their scheme. Nov. 27, McAllister wrote Ward and Hoyt, in great dudgeon, of course, that after three days struggle in the Senate their gold mine incorporation bill had been thrown out. Berrian had done all he could, but "the besotted ignorance and the blind and foolish envy of the majority, have carried the day." The Georgians would incorporate them, he added, but were so stupid as to desire to mend their bill by making "the individual property of each stockholder liable for the debts of the corporation," (so that if the concern should have defaulters the public might not be cheated.) But, quoth McAllister, it was to get rid of personal responsibility that we sought legislative assistance. One day they only lost by three, and the next day gained over seven members—but in Georgia the people like to see what is doing in their name, and it is the law there, as it should be everywhere, that, previous to a 3d reading, every bill, public and private must be published, and wait public opinion a certain time before it can pass. This proviso killed Hoyt's Potosi—the people saw the thing—they wrote their agents that they did not like it—and said McAllister—"on Monday twenty intelligent members

fear that he will follow Crawford in advising tall Yankees to wed Indian squaws to improve the papoose system of rearing our youth. I should not wonder to see Van Buren yet quote Jefferson where he says that it was a Scotchman (Douglas) who taught him, and that another Caledonian (Small) probably fixed the destinies of his life, by way of showing that we owe the Declaration of Independence, indirectly at least, to immigration from North Britain.

The writer knows that Mr. Van Buren is secretly straining all his powers to get back to Washington as head of the state, but the budget of ways and means he has not seen. The result would be worse than his third rubber, when—

Ritchie, to gull the populace, fluttered like a stool pigeon;  
Hoyt furnished funds, Dick Davis wind, and Butler the Religion,  
Ben Butler the Religion!

contended against prejudice, ignorance and the d——t folly ever exhibited in a Senate . . . this rascally apology for a legislature. I leave this infernal place to-morrow morning." The worthy corporator, that would have been, was really out of temper—talked in his letter of "the asses here who bray for the public," and reminded Hoyt that Mexico allows no special incorporations.

A fraternal hug from the enlightened democracy of this Union will probably achieve what Burr and his brother *reformers*, with Sandoval and Cortez, failed in—and the land of Montezuma rejoice in religious liberty, as we understand it, slaves, (who may not read, write or marry, but be scourged, shot, sold and tortured,\*) charters, banks, stocks, a Wall street full of brokers, irresponsible corporations, patriot Van Burens and pious Butlers. It will not be necessary, as in Georgia, to print gold mine bills before they pass 'em.

Thomas Moore impertinently asks,

Who can, with patience, for a moment see  
That medley mass of pride and misery,  
Of whips and charters, *manacles and rights*,  
Of slaving blacks and democratic whites?

No matter—he don't travel in Mexico.

Eleven bars of Potosi gold was sent to Hoyt from the mine, and, Feb. 14, 1832, Arnold and McAllister wrote that the mine must not be sold under \$150,000. A charter was got for the concern at *Albany* this year. Gov'r Throop's people knew more than the Georgians. March 17, and 25, Arnold and McAllister wrote that Dr. Boyd, a person of great skill, and hired at \$50 a month, had stated *distinctly* that "New Potosi would yield \$20,000 per annum, net profit," but the doctor could not conscientiously recommend capitalists to go as high as \$200,000 in an investment.

Sometime since a bill in *equity*, as they call it, was filed before Judge Betts, on behalf of the U. S. against Jesse and Lorenzo Hoyt, Jesse and Thos. Oakley, Thaddeus Phelps, &c., for the better protection of Jesse Hoyt's large estates in New York, Maryland, and Illinois. Why didn't they include Georgia, so as to embrace "New Potosi?"

I believe I saw B. F. Butler set down among the borrowers of "the deposits" from the Manhattan Bank; and at the time that Hoyt got the collectorate his (Butler's) brother's name was not in the best possible repute in Wall street; owing to western land speculations. \$30,000 was what the brothers Butler owed the Manhattan at the blow up. What then? John G. Coster owed \$258,426—Campbell P. White (who voted for the removal to New York, &c. of the specie, or was elsewhere on a division,) and son \$172,498—James McBride \$75,799—and Thos. Suffern \$57,698. These were directors, and they borrowed over half a million of dollars. No matter. The money would enable them to help the merchants liberally, at a rate somewhat below cent per cent. It was proper, quite proper, that C. P. White should preside at the great Van Buren (1843) meeting in the Park, and he did so. Why were not Coster and McBride among the secretaries? The State, too, lent the Manhattan

\* It would seem that negro slavery condemns to brutal ignorance the wretched blacks, while it fears even to instruct the whites. There is very little immigration to the slave region from foreign countries, yet the census of 1840, showed that (in round numbers) there are in Tennessee 55,000—in Virginia 59,000—in Georgia 31,000—in North Carolina 57,000—in Kentucky 40,000—in Alabama 23,000—and in South Carolina 20,000 free white persons, each of them over twenty years of age, who can neither read nor write! The slave-holding south trembled when it was proposed to reduce our postage rates to five cents, although England had reduced hers to two. Young Van Buren's brother-in-law, Senator McDuffie, opposed cheap postage and advocated the measure so ardently desired by America's enemies, a dissolution of the Union. Failing in that, we are to have more ignorance and more slavery. Free discussion must be put down by force in Kentucky, lest her 40,000 illiterate whites should take a fancy to learn their A, B, C—and slavery must extend its arms over Mexico, in part, at the risk of a general war, in order that the slave power of the south may be able to offer a better bargain to its mock-democratic allies in the north, through whose means it has hitherto warred against free institutions. I do not wish to force the slave states to abolish slavery—but I dislike to see Texas added to the vast area thus cursed. Slavery is, must be, the deadly foe of intelligence and American freedom, and yet it leagues its interests with the worst of the northern politicians; and the Presidency, the Senate, the Supreme Court, the Army, and the Navy move, but as instruments to extend and perpetuate its power. It perpetuates ignorance in the south, and checks reform everywhere. South Carolina, through her able leader, Mr. Calhoun, boldly avows principles which strike at the very roots of the tree of liberty. I see much to admire in Mr. Calhoun, but his recent correspondence on slavery, Texas, &c., contains doctrines more arbitrary and severe than the vilest aristocrat in England would dare to acknowledge.



\$760,000. Who was it *understood* was to borrow that out again, John\* Van Buren fashion? The report of March 14, 1840, is rather brief on such matters. The Manhattan made stock loans, too. In 1836, they had \$2,800,000 lent out to favorites on *fancy* stocks pledged to the banks. Who can wonder any longer at the scramble there is to get hold of the proceeds of taxation laid on the people, and at the interest that was felt by the faithful to exchange C. P. Van Ness for that regular dealer and initiated democrat C. W. Lawrence? Barnabas Bates, pensioner of the Custom House, owed the Manhattan nearly \$10,000—S. & M. Allen \$56,000—W. G. Buckner \$27,000—and Robert White \$20,000. The *spoils* were carefully kept in the family. Gov'r Marcy borrowed of that *reputable* concern the New Hope Bridge Co., and B. F. Butler left his i o u for \$5452 with the Baltimore Life and Trust Co. Robert White, the Cashier, was soon after tried on a charge of petit larceny and embezzlement, and purloining the bank's loan book. Mr. Butler, if I remember, was for the people, and Judge Ingraham charged the jury—they agreed to disagree—and perhaps the new trial is postponed to take its turn after those of Price, Hoyt, Swartwout, &c.

The American Land Company was formed in 1835, and was a natural result of the successful scramble of Van Buren and his friends for the possession of the national treasure in 1834. The Albany Journal quotes John Van Buren, Silas Wright, Crosswell and Burt, as among its stockholders there. Charles Butler, brother of Benjamin F., was a trustee. The intention of Messrs. Butler and Wright was to buy the public lands—the very best of them—as cheap as possible—with the

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\* It seems as if nothing that is corrupt in the political world could be completed without Hoyt, Van Buren, or Butler having a hand in it, some way or other. In the early part of this volume are Butler's letters, recommending Hoyt to Barker for a cashier to the Bank of Niagara at Buffalo. Isaac Q. Leake, Mr. Van Buren's editor of the Albany Argus, was its first cashier, and the notorious Isaac Kibbe its president. Its parent was Martin Van Buren.

On the 14th of Feb. 1816, the bill to charter this bank was referred to Jacob Barker and two others, in the N. Y. Senate, to report. Mar. 8, the bill in committee—Van Buren and Cantine voted for it—Barker kept below the bar. It provided that \$400,000 should be the capital, and the bank to issue its notes as money whenever the directors, *whom the bill named*, should see fit—even before one cent had been paid up of the stock, which could be called in 'by instalments.' The bank to divide profits among the stockholders, who were not to be responsible to the public for loss or mismanagement. The stock distribution, as usual, was left to 'our friends' as a fat job; if the bank failed it might stop and start afresh; and ~~if~~ it (the bank) was not compelled to pay specie for its notes. ~~The~~ The bill passed the Senate, but the Council of Revision refused to agree to it, because it did not contain a clause providing for the redemption of its bills in gold and silver. April 10, 1816, Attorney General Van Buren, in Senate, said the bill was better without a specie-paying clause, and tried to persuade two-thirds of the Senators so to vote, and moved to pass the bill in spite of the Council. (See Senate Journal, p. 236.) The Senate refused to do this, and the specie clause was inserted, Van Buren again voted for the bill which became a *bad law*, pillaged the farmers and traders, broke down in 1819, paid 10 or 12 cents per dollar, and its cashier took the chair of Van Buren's press, the Argus. It started again, its president was indicted for cheating, Barker was to have \$5,000 for procuring a \$25,000 loan to keep it going, but it broke again before aid could get to Buffalo, Kibbe, its first president, was a Burrito, concerned in the frauds by which the Merchants' Bank Charter passed in 1805, and one of 'the lobby.' General Swartwout writes, (1823) "My Dear Morrison—The Dutchess must pass the House on Tuesday, and yours [the Chemical Bank] will pass the Senate on Wednesday, certain. See KIBBE as soon after dinner as possible—he knows the cords to pull upon, and will carry you triumphantly through. Your friend, ROB. SWARTWOUT."

Mr. Van Buren's bank initiated the Buffalo people, who had become such proficient in the mysteries that thirteen banks have broken down in that place since, cheating the weaver of cloth and the grower of wheat, wool, &c., out of at least three millions of dollars.

In an Albany Argus, extra, of Nov. 24, 1824, I find the report of a joint committee of the Senate and Assembly of N. Y. on the Chemical Bank charter, Mr. Sudam, chairman, and it affords additional proof that the administration of justice, the purity of which forms the foundation stone of American institutions, needs the investigation of a Convention of the State.

"In the inquiry instituted by the committee, to discover if any member of the legislature had been improperly influenced in his vote, it became necessary to examine Mr. Morrison and the agents employed by him. And the evidence thus elicited, is certainly far from creditable to any of the persons engaged, including Mr. Morrison; to see men holding judicial stations, and others claiming rank in society, congregate at the seat of government, for the purpose of letting themselves out, for such rewards as may be extorted from the fears or hopes of applicants to the legislature, must be a source of deep regret to all who respect the purity of legislation. But when it appears that the votes of members of the legislature are *actually pledged by the Lobby*, without the most distant communication with them, and by these means rumors are spread abroad, implicating the legislature, and all for the purpose of extorting money from a desperate or timid man, it becomes the sacred duty of the legislature, to expose to the public the names of the individuals who are guilty. The testimony discloses the names of Wm. McDonald, now of Waterford, Col. Mather, of Rensselaer, Aaron Hackley, late first judge of St. Lawrence, Halsey Rogers, first judge of the county of Warren, Ward B. Howard, of the city of New York, Isaac Kibbe, of Buffalo, Thomas Matchin, of Montgomery, Gen. Carpenter, of Tioga, W. J. Caldwell, of New York, A. Moody, of New York, Cornelius Masten, of Pen Yan, and Gen. Swartwout, of New York. . . . What (in the opinion of the committee) constitutes the moral guilt, and deserves to be severely censured, is the practice of persons regularly meeting at Albany, from various parts of the State, to make it a business to lend their aid 'for pay,' to any application, and *opposing applications*, unless they are *paid* to be encouraged or tolerated, thus obstructing the regular course of legislation, and casting suspicion as to the purity of legislative acts. . . . Powerful indeed must the consideration be, which can induce men of standing in society to leave their families for a whole winter, and devote themselves for hire to the will of their employer."

deposits, furnished by the people—and then sell them to the people as high as possible. Millions of dollars were thus invested—and private letters are now before me stating the names of persons who would have cleared millions by the speculation, had not 1837 and its events interfered.

Lieutenant Governor Root, in his speech in the N. Y. Senate, on the Sub-Treasury, 7th February, 1840, thus describes this vast monopoly.

"A great American Land Company was formed, consisting of Government officers and their friends. Its articles of association were written by the Attorney General of the United States, [Butler] and his brother was placed at the head of it as President.

By the terms of the Specie Circular, a receipt for money paid into the Treasury was receivable at the land office in payment for lands.

There was a bank at Washington, known as the Bank of the Metropolis. This bank was in bad repute. Its stock was greatly below par, and it was understood to be in danger of failure, when it was taken under the protection of government, and made a deposit Bank. The stock, much of which had been bought in by the speculators, who were in the secret, at a low rate, immediately rose 20 and even 30 per cent. above par.

A draft on this Bank, made by one of the 'American Land Company,' would be presented, the keys of specie loaded on to a carman's cart, taken across the street to the Treasury, the treasurer's receipt procured, and the keys returned without being unloaded.

The certificate was good for land. The Yankee speculators, with their pockets full of eastern notes, could not buy an acre. The company with their specie certificates, could purchase all Chicago, and the surrounding country. Other speculators were compelled to buy off this 'American Land Company.' Eastern notes were worth more than specie, for exchange was in favor of the Atlantic cities. And there was another speculation."

Of course the American Land Company did not settle their lands—they only took the Irish Middleman's place, and held their purchases at a high price for the farmers' sons to buy up, and settle. Within twelve months, twenty-four millions of acres of the public lands were bought on speculation, much of it by this combination of avaricious harpies. The usual quantity sold in a year is one or two millions.

Bank Presidents, Cashiers, and Directors, in great numbers, joined the vile concern; and the people's money raised from them by taxation at the Custom Houses, was thus made the means of taxing them over again when they emigrated to the western wilderness. Van Buren's hand was felt everywhere.

Thomas Jefferson was originally rich—his father was also opulent. He and Madison and Monroe left office and died poor. Van Buren started with low cunning, and party machinery as a capital, in lieu of money—Aaron Burr, who was the father of the Manhattan Bank, being his tutor—and he is now immensely rich. In 1819, he found it necessary to borrow \$1000 from the State, which was not paid in 1824, nor the interest. You may now go for 60 miles round Kinderhook, and even up to Oswego, and you will be continually meeting with his farms, lots, &c. Perhaps he is worth the equivalent of Samuel Swartwout's default. In early youth he was the poorest of the poor—his father kept a small public house. Had he risen by other means than I have described, who would not honor him?

Mr. John Van Buren is now most active, in his capacity of Attorney General, endeavouring to bring to punishment the anti-renters of Columbia, Delaware, Albany, and Rensselaer counties, as traitors, conspirators, murderers, &c. Did not his father, when an Attorney at Hudson, do much towards laying the foundation of these troubles, by assuring the farmers that their landlords were in error, and canvassing for Senator in the Middle District against E. P. Livingston, in 1811, as the champion of these tenants? In 1830, a sketch of Mr. Van Buren's life, by Butler, appeared in the Albany Argus, in which the anti-rent difficulties, of 1807, feudal tenures and a "particular hostility" to Van Buren, by the Van Rensselaers and Livingstons, were adverted to, and their "baronial prerogatives" sneered at. Mr. Van Buren is said to have fanned the flame by anonymous essays in the Hudson papers, in which the title of the Livingstons to their manor lands in Columbia county was vehemently attacked—and then to have appeared as the lawyer and champion of the tenants in the courts, there contesting the claims he had advised them to set up. Finally, he is charged with deserting them and producing the ruin of many of them after he had, in May, 1812, attained his object of a seat in the Senate through their votes and influence. This may be true in whole or in part, or it may not.

On this subject, the Northern Whig and the Hudson papers of that day throw much light—and I will more fully discuss it in another publication. One extract from the *Northern Whig*, copied also into the New York Herald, and the Evening Post of Oct. 21, 1812, may suffice here. Judge Van Ness presided at the Circuit Court in Columbia county that month; the District Attorney (Cantine), was absent: 50 or 60 persons were ejected from their farms for refusing to pay rent; the sheriff's possees was ordered

out; Charles Truesdale was shot; D. Wilkinson was sent four years to jail for shooting him; John Reynolds, a magistrate, was heavily fined, and also imprisoned; and anti-rentism very severely punished.

Thomas P. Grosvenor appeared for the State as prosecutor. He had been turned out by the Council of Appointment, and Moses I. Cantine, Van Buren's brother-in-law, appointed as the district attorney for Columbia, Greene, and Rensselaer counties, in Feb. 1811. Moses was looking for a seat in the Senate, needed popularity, got the seat, and a poor instrument for bankcraft he made, Van Buren then transferred him to the Argus.

Mr. Van Buren, like Cantine, was absent at the trying moment when his clients most needed his aid—and of this we copy verbatim what we find in the Hudson Whig and the N. Y. Post, as follows:

"It is the general received opinion, and has ever been our own firm belief, that these people have been operated upon by others, whose situation in life, and whose duty to society, had demanded of them a very different line of conduct from what we believe to have been pursued. That this opposition in the Manor has originated in politics, it is our fullest belief; and that they consider certain leaders of the democratic party in this city as their patrons in this business, would appear manifest from a conversation which took place during the sitting of the court; but in order to relate which, we must first state another fact, to wit—that Mr. Van Buren, the Counsel for the Manor prisoners (and Senator elect from this district) when these trials came on, was taken very suddenly ill and did not come into court again until they were all over. The morning on which Mr. Van Buren was taken ill, Mr. Jeremiah Shaver, the brother of John I. Shaver, on being informed of it, said in the presence of five or six persons, that he told his brother months ago, that this would be the case, when it came to the pinch, that that devil of devils would abandon them. On being inquired of who he meant by that devil of devils, he replied, why, that fellow Van Buren. We mention this, not to insult Mr. Van Buren, or to accuse him if he is not guilty; but if the Manor people consider him as their patron in this business, and he really is such—it is proper that the public should have a right impression upon the subject.

"There were twenty six persons indicted at this court for neglecting to go out upon the posse into the Manor after being summoned for that purpose, who were fined from 15 to 25 dollars each. There were also 50 or 60 persons ejected at this court from their farms upon the Manor, for refusing to pay their rents."

Report assigns to Mr. Van Buren the authorship of so much of Silas Wright's mammoth message as relates to the anti-renters. If so, let this chapter, and the recent trials at Hudson, be taken in the same connection.\*

## CHAPTER XXX.

*Bishop and Kemble's stockjobbing. L. Hoyt's efforts to stay the Harlaem bill. Bartow absconds. John W. Edmonds. Ripening a combination. Gambling Judges. Joseph D. Beers on 'Stock transactions.' Lovett the Teller—how he closed his career. Charles L. Livingston, a gentle judge.*

A course of life, not very unlike that of Jesse Hoyt and John Van Buren's, sent John C. Kemble, a Senator of N. Y. to an early grave, two years ago, in the insane hospital. "He grew up," says Noah, "a protégé of Governor Marcy," and while Senator was also editor and owner of the Troy Budget, formerly conducted by Mr. Marcy. He took his seat in the Senate in Jan. 1834, and in a speech on the Harlaem railroad, the year following, said that it was begotten of a Jew, born of a Jew, owned by Jews, &c. Noah replied by charging him with offering to sell himself to the U. S. Bank, and of being bought with his seat in the Senate by Van Buren's friends. This Kemble denied. "Does any man in his senses," said Noah, "suppose that Kemble and Mack [a hungry, plunder loving tool] could be elected Senators without an order from the Albany junto?"

Mr. Kemble, and Isaac W. Bishop, another State Senator—both of them devoted followers of Mr. Van Buren—were charged in March, 1836, with fraudulent

\* I had written thus far, when I met with the N. Y. Evening Post of Sept. 8, 1845, stating that the trial of Dr. Boughton, alias big-thunder, an anti-renter, was proceeding before Judge J. W. Edmonds at Hudson—A. L. Jordan for the defence—John Van Buren, Attorney General, for the people—when, in the morning, in open court, a dispute arose between these lawyers, Jordan called Van Buren a liar, Van Buren struck him, both rose and fought with their fists, the judge ordered the sheriff to arrest them, adjourned the court and trial 24 hours, and sent the two lawyers for that period to the common jail. The Tribune's correspondent, who heard the whole, says that in a dispute about the manner of examining a juror, Mr. V. B. said 'one at a time.' Mr. Jordan replied, 'there is but one!' Mr. V. B. (excited and positive) 'that's false.' To this Mr. Jordan answered, 'that is a lie, or some such word. Judge Edmonds admitted that he also had thus heard it, and the reader of Mr. V. B.'s letters will not doubt it.

stock speculations, and being concerned with one Bartow, a cashier in an Albany bank, who had plundered it and absconded. It was said that while a bill was in progress, in 1835, for extending the time to complete the Harlaem railroad, these two Senators resolved to delay its passage until they could buy some of the stock at a reduced rate. Their votes did that, and they went to New York and purchased—then they let the bill pass. How far Jesse Hoyt and his brother Lorenzo were interested, if at all, in this move, I know not, but Bishop told the Senate, (Feb. 29, 1836) that he had had no understanding with any body, either to hurry or hinder the bill, 'except that *Lorenzo Hoyt, an intimate friend of his, spoke to him 'when the bill was ready' for its final passage, and earnestly desired it to be delayed,*' and that one Hitchcock had said to him that he (H.) was employed to oppose it.

Lovett, the Bank Teller, testified in Senate, that Cashier Bartow, before the passage of the bill had told him that he had an understanding with Senators Bishop and Kemble, that they would raise such objections to the bill as would blind the eyes of the New Yorkers as to its passage, until they had got things to suit themselves, and then the bill would pass. The Senate published Bishop and Kemble's eight letters to Bartow, and they much resemble the style of Attorney General Van Buren's eighteen gambling epistles. Bishop speaks of "the result of the Utica stock which Hoyt was to deliver," but whether for himself or Van Buren is not stated, John W. Edmonds, then a Senator, and whom Silas Wright has just made a judge of, was also concerned. Bishop writes Bartow from New York, May 25, 1835; "if we have been sucked, I extremely regret it was not to a much greater extent. . . . We have about \$20,000 of Berkshire. EDMONDS, yourself and me. . . . you need not fear that we are sucked." Three weeks before that, the Directors of the Commercial Bank, Albany, state, that Mr. Edmonds, though he had no funds in the bank to meet it, drew a check on them for \$5000, in favor of his brother, Cashier Edmonds, which the latter made payable to Olcott of the Mechanics and Farmers. On the 9th of May, upon Bartow, the absconding officer's request, the \$5000 were paid by the officer of the Commercial, though Edmonds had never had any account there. On the 9th, Bartow endorsed on Edmonds's check, that \$1000 had been received by him from E. on it, and Edmonds explained the matter to the bank by a long story about stocks and scrips, in which he was probably correct. Bishop and Kemble appear to have agreed that Bartow should lend them the funds of the bank secretly to speculate on, for the benefit of the three; just as Hoyt and Swartwout speculated on the funds of the Custom House. Kemble writes Bartow, Olcott and Porter are here, dipping into the Utica." Bishop writes, "Harlaem . . . is a damned bubble." "Seton is ferocious and says, by G—d he will never do 'a clever thing,' again for such heartless scoundrels." And, Oct. 6, Kemble tells Bartow, to "have all our stock on hand, so that we can sell it if we think proper, or otherwise RIPEN A COMBINATION." And this man was then ~~II~~ a Senator of N. Y.!!! In May and June, Kemble and Bishop's checks were paid by cashier Bartow, who, on the 28th of Sept. made a false credit on the bank books, of a pretended deposit of cash in the bank of America.

The "combination" of the senators and others to raise the prices of the Harlaem stock, is correctly described in the Senate's Committee's Report, April 26, 1836, as "a secret and artful conspiracy to cheat." In this case it raised the stock to \$195 per share—and when it failed, down went the stock below \$80—the result may be inferred.

In the N. Y. Circuit Court, on Jacob Barker's trial, N. Y. Evening Post, July 6, 1827, Barker asks Joseph D. Beers, another of the fraternity of stock-jobbers with whom Wetmore, Hoyt, and "the party" have been long intimately connected—

"Did you ever sell stock on contract, and sell it without owning it? Yes, frequently. To what amount? Not very large at any one time. Do others do it? Yes. Is it a common practice among Brokers and Stock-dealers? It is. Sometimes to large amounts? Say three or four hundred thousand dollars? Yes. Whether the amount be large or small, is it like other business, only the difference between a wholesale and retail dealer? That is all. Are not such contracts entirely regulated by the prospect of profit? I make no other calculation, than whether or not I can fulfill to advantage. Is it not very common to settle such contracts by paying or receiving the difference without there being any stock received or delivered? It is very common to settle in that way?"

Seth Staples immediately said, and said truly—"I think it a villainous transaction." We perceive one of its results in the Harlaem stock combination. Fraud caused the ruin of thousands—and Senators, the protectors of innocence, were foremost to prey on the unwary! I do not see Edmonds's name in the testimony on the combination—but

was he not the confederate of three of the chief conspirators, engaged with them heavily in stock-jobbing? Are not the \$5,000 check and the \$20,000 Berkshire, curious transactions, all things considered—and of a man, too, of whom Mrs. Butler had said—"So far as pauperism is a qualification and recommendation to the favor of a party, surely you will give in to" John W. Edmonds, who when she wrote was Van Buren's decided leader in the Senate of New York.

Mr. Alexander H. Lovett, the Teller of the Commercial Bank, did not run away with Bartow. He gave evidence, March 3, 1836, in Senate, that he paid Bartow's checks on the bank, knowing he had no funds, and falsely reported Bishop and Kemble's checks "AS THE BILLS OF OTHER BANKS," from April 1835 until September.

I do not wonder that the Long Island clerk put \$50,000 of the Brooklyn Bank money in his breeches pocket. When he found that Lovett was retained by the Albany Commercial, what might he not expect to succeed in! The Directors kept Lovett, and in a late Albany Evening Journal, we hear of his confession to Bartow's successor that when these villainies of 1835 were transacted he had robbed the bank of \$4000, and that he had kept on, cheating the ill-managed concern, till his robberies had got up to \$40,000; and had forged daily statements in the Teller's books, speculated largely in the lottery, and was now ready to shoot himself, &c. Of course, he was held to bail, and being of the Hoyt, Swartwout, Price, &c., class, it is presumed (as Butler said of Fauntleroy) that New York justice will not reach him. His connections are *too respectable to allow him to be treated like common vulgar persons*. When he saw Charles L. Livingston, Hoyt's particular friend, and one of Swartwout's bail, willing to sit with Isaac W. Bishop in Senate—willing to own that corrupt senators may be sent back to receive the judgment of their electors—willing to vote that Bishop "had been guilty of moral and official misconduct"—and unwilling to vote that he "is unworthy of a seat in this body, and is hereby expelled," who can wonder at his subsequent career? Kemble, like Jasper Ward, decently withdrew from the cares of legislation, but Senator Livingston thought that Bishop, though "guilty of moral and official misconduct," was a good enough judge in the courts of impeachments and errors, and in Senate, where judges are made and disallowed.

If the history of our Bank legislation in 1805, with its blows, knock-downs, wholesale bribery, and foul atrocity, could be placed on the table of every man and woman in our State, it would be seen at a glance that the Chemical Bank, Lombard Co., Bishop and Kemble, Hoyt and other transactions of our day, are but clumsy repetitions of the stock-jobbing commencements forty years since. If I can but aid in rousing the manly virtue of the millions to insist on a real remedy, I will not have lived in vain.

Livingston and his friends resolved to stand by their colleague, Bishop, and Young and Van Schaick resigned, with a wish that they had had the power to mark the face of each member of the majority of that day *pro bono publico*.

It was probably as much owing to Bennett and Noah, especially the former, through an article *written by himself*, in Sept. 1835, that attention was drawn to this affair. Bennett and Noah had quarreled with Van Buren and his followers, their natural associates, and having made them feel their influence were received back into the Kinderhook *jungle*, where we may as well leave them.

The Commercial Bank lost \$122,015 by Bartow's frauds: besides \$17,380 on false credits allowed Edmonds and others, which the directors expected to collect "by legal enforcement or otherwise."

## CHAPTER XXXI.

*Custom House Builders. Watson E. Lawrence. Politics and Cement. Walter Bowne and the 7th Ward Bank. Bowne's Salary as Commissioner. \$872,500 of Custom House Deposits. Van Buren Cement. Bowne and Morgan on N. Y. Banking.*

His name enrolled with the other worthies of the Van Buren school, we will find, at the State Conventions, held somewhere beyond Little Falls, Mr. Watson E. Lawrence. Mr. Lawrence dealt in cement, but the cement which kept him, like Cornelius W., straight in the democratic path, was probably of a more adhesive character than that with which he supplied the Custom House of N. Y., a structure which cost \$1,200,000, including the price of the ground on which it was built. Although Watson E. was not the lowest bidder among the burners of water lime he was (as Quackenboss would say) "with us in politics."

"Gentlemen," said Thomas T. Woodruff, the builder, to the Commissioners, a man in whose skill they declare to the Secretary of the Treasury they have the fullest confidence—"Gentlemen," said he, Nov. 4, 1834, "The cement now using at the Custom House is a very poor article, and not fit to be used. I have made experiments with at least ten different bags—some better than others, but NONE of it is fit for use."

The Commissioners, Walter Bowne, Elisha Tibbets, and Daniel Jackson, knew more about cement than Woodruff. Him they removed, but stuck fast to Lawrence, who was paid \$20,000, nearly, for his cement, with some profit, let us hope, to himself and family.

In the Legislature of N. Y., Assembly, Jan. 14, 1837, among the petitions presented was one from Watson E. Lawrence, Daniel Jackson, and others, for a charter to the Washington Bank, to be located in New York. The Contractor and Commissioner must have had money to lend.

On the 4th of July, 1837, Lawrence was a leading signer of the letter sent by the Conservatives to Senator Tallmadge. In August he was Chairman of the Corresponding Committee of that party in New York, and in pursuance of instructions from John L. Graham and George D. Strong wrote to Allen of the *Madisonian* for his principles. "Conservative" was the answer, on which Watson E. and his friends warmly recommended the *Madisonian* to all good conservatives.

Time works wonders. Watson E. began to see that power having passed to M. Van Buren, Jesse Hoyt & Co., they had veered round for the present to the hard-money, anti-monopoly, loco foco side. Accordingly on the 26th Sept., at a 15th ward meeting to choose delegates, &c., at which Watson E. was one chosen, Jesse Hoyt being president, Barnabas Bates [Custom House,] and E. G. Sweet [Custom House,] passed resolutions, approving of "The Message" in toto, and resolving "that the *monopoly* conservatives cannot delude nor deceive the democracy of this ward"—that Bank and State must be disunited—that the vast emissions of paper by state chartered banks had done mischief—and that hard dollars must be paid for revenue.

Mr. Watson E. Lawrence is a fair specimen of Van Burenism. Like O'Gimlet's finger post, he is ready to be turned round any way, [provided he can continue contractor for Custom House cement.]

Walter Bowne, says Coleman of the *Evening Post*, was originally a federalist, but afterwards a director of the Manhattan Co. He was on the Grand Jury, in 1805, when it thwarted the corrupt legislature of that year, and would not find a bill against Cheetham for libel in exposing the bank bribery to which Senate and Assembly had succumbed. In 1816 he was elected to the Senate of New York, where he unfortunately fell into the toils of Van Buren and Butler, and joined the Regency. The *Post* says he was dressed in a suit of green, and looked as if he would speak, but didn't.

He looks so wise, so grave, so wondrous grim,  
His very shadow seems afraid of him.

After the Chemical Bank knavery had been exposed he voted to *preserve* the charter, and when Clinton's wisdom and patriotism had almost completed the Erie

Canal, Bowne voted to expel him from the Canal Board. He *fathered* Butler's report against nominations by the people, and was one of 17 Senators who prevented the election of president going to the people, in 1824. Of course he was for Crawford, and Anti-Jackson, though when the latter got power, no meager prayer reached him for a share of public plunder in the shape of deposits, than that signed, 16 Dec. 1833, by Walter Bowne, president 7th Ward Bank, and by W. S. Coe, Henry Ogden, J. A. Whiting, G. Hopkins, &c. directors. "*We, &c., friends of the administration, and of the revered chief at the head of the government, do solicit a portion of the fiscal patronage of the U. S. Treasury, for the 7th Ward Bank.*" They got it, too.

The 7th Ward Bank got a legislative charter in 1832, Walter Bowne, President—and when the new Custom House was to be built, Congress voted money, provided for commissioners, but prescribed not their duties. Walter Bowne was made a commissioner, and disbursing agent. Van Buren's influence secured to his bank the job of receiving from the treasury and paying out in its notes the money for the Custom House. From Feb. 1834 to Dec. 1840, \$872,500 passed through the 7th Ward Bank—and besides the compensation to Ringgold, Jackson, Tibbets, and the other commissioners, Bowne had \$8 per day, Sundays and week days, winter and summer—in all, from \$16,000 to \$20,000 were paid him by government for his occasional attendance, at the erection of this heavy, clumsy, inconvenient job.

'Paid him' did I say? That's wrong. He took it. Walter Bowne, as Com'r, waiting for no other Com'r's to sit on his individual bills, for form's sake, if not for decency, audited them himself, receipted his own bills, handed his voucher to himself, approved of it, and gave himself, as Com'r, a check on his *own* bank, where the cash lay, which his clerk entered at the Custom House, and his teller, (R. S. Bowne—all in one family) paid at the bank. Friend Woodbury took care that the bank should, like Sam and "Jessika," be well provided with "the fiscal patronage" it had so greedily craved. In Dec. 1834, it had \$26,000 of a balance on hand—\$120,000 in Jan. 1836—in July \$90,000—and on 3d Sept. over \$120,000. Of course, a job was intended, for, of \$70,000 drawn from the treasury in Feb. 1834, \$26,000 remained in Dec., and \$11,000 next year in March! When \$30,000 lay in Bank, Sept. 3, 1836, \$100,000 more were drawn for by Walter and deposited—and of this, \$50,000 to \$60,000 were on hand, or lent to speculators with whom there was the right understanding, till July 1837. When this wretched concern refused to pay specie for its bills or other debts in May 1837, it had of Custom House building cash, \$60,000, and got \$50,000 more in July thereafter! Corrupt, greedy, dishonestly ambitious men stuck to Van Buren, because they saw, that, let public prosperity sink or swim, he would see that his legion of followers had a surfeit of public plunder. Don't suppose that on these deposits a cent of interest was paid.\*

In Nov. 1834, Geo. D. Strong wrote the Com'r's, desiring that a part of the Custom House building money might be left for safe keeping at his bank, the Commercial. Bowne knew better. Not one dollar!

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\* The reader may think, perhaps, that I have spoken with too little respect of such a venerable and honored citizen as Mr. Bowne—but is it so? Thank heaven, I am free from the suspicion of malice, for in no form had I at any time any dealings with him. Let the above sketch be considered, however, and then add the fact that the Tammany Hall annual address, previous to the Nov. elections of 1838, Messrs. Bowne and John I. Morgan lent such sentiments as are quoted below, the sanction of their names and presence as Vice Presidents at the meeting which adopted them, Wm. M. Price being chief speaker (previous to his Gallic Hegira and abdication.)

"We consider privileged fraud and privileged credit as synonymous terms expressing one identical evil. . . . The Bank has committed a privileged fraud in exacting interest upon its own debts, and in thus rendering the creditor a debtor. . . . That the 929 banking companies should be content with this ubiquitous, boundless, absolute, and irresponsible power of fraud, without combining to usurp the legislative and executive powers of the general government, would seem to be but a reasonable request. . . . By securing the payment and disbursement of the national revenue in the republican coin, we keep a still greater amount of the true standard of value in the country, and thus better enable those fraudulent institutions, the banks, to redeem their promises than they could if left to the self-destructiveness of their own operations."

Mr. Bowne presided where it was in plain terms resolved, that his 7th Ward Bank was a "dangerous and fraudulent" concern—its notes a cheat—and the banks of the Union, as conducted by such as he, swindling institutions. He approved of the whole, and sent it forth in the Post with his name attached. Where was his self-respect in this? What did he not admit to his own shame? If the above assertions were true, why was Peter Robinson hung, and the killing of Suydam, the bank president, adjudged murder? If organized banking is a conspiracy against American liberty and property, and Mr. Bowne says it is so, what was the use of the trials of Barker, Hyatt and the Lamberts in 1836-7? They were but parts of a system, and yet made scape goats.

Custom House minutes, Building Com'rs office, Aug. 6, 1838.—“ Present Walter Bowne, Esq.—Ordered [by Bowne] that the following checks be drawn [on Bowne's bank,] viz: For Walter Bowne [that's me, too!] Services from 1st of Jan. to 1st Aug. \$1696. And “ Services,” 1 Mar. '35 to 15 Ap'l. '37, 666 days, at \$ 8, \$ 5328. Dec. 15, 1840. “ Services,” 441 days, at \$ 8—\$ 3528. Delightful simplicity! What did they give him as bank president? How much stock did he get to make 15 per ct. out of at commencement? What sum was he to draw out of the funds to share with, or did he share? *Upright, consistent, democratic Walter Bowne!*

Walter was nephew to Robert Bowne, who kept his store in *Queen street*, New York, nearly sixty years ago. His family were Quakers—he is, therefore, it is presumed, a Hickory Quaker, like C. W. Lawrence. In 1828 he was appointed Mayor of New York, and held the office five years. His daughter is the wife of John W. Lawrence of Flushing, and his son Nathan is reported to be very rich.

Mr. Bowne is not too generous. It required two thirds of the senate of N. Y. in Feb. 1824, to pass a bill, to give public relief to many deserving persons whose property was burnt and destroyed last war—and the Assembly had passed such a bill, Twenty-two Senators said Yea when it came to them—Walter Bowne and two others. “ Nay.”

Walter was a delegate to the bucktail convention at Herkimer, in 1828, which nominated Vap Buren as Governor. I wish the people would look as steadily to the great interests of the many as this old man does to the worldly gains of “ Mr. Walter Bowne.”

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## CHAPTER XXXII.

*Revenue Returns at N. Y. Hoyt's Embezzlements. Daring attempt to defraud the U. S. out of \$63,000. Ogden and Phillips's concealment of Swartwout's conduct. Millions of defalcations not yet looked into. Why should we seek to trace them? The Naval office, by Coe and Throop, a base deception. Fleming's evidence.*

After all the attention which, with the information before me, I could give the question, I have come to the conclusion that there are powerful reasons for further enquiry whether Mr. Hoyt's embezzlement of the public revenue has been limited to \$220,000, and upward; whether he, at same time receiving an income of over \$40,000 a year from his office, did not connive at yet greater errors?

Jesse Hoyt collected in 1839, from \$47,113,697 worth of goods subject to various rates of duty, \$14,842,408. In 1840, he only collected \$6,990,643 on \$ of dutiable imports, which shows a falling off in duties at New York alone, of \$7,651,765, or far more than one half the amount received the year before. My opinion, after much consideration given to the subject, and for more reasons than I shall state here, is, that this is a false statement of the real revenue of 1840, and perhaps, in a lesser degree, of 1839. The No. of entries in Sept. 1840, was 3,930—in 1839 they were 3,753.

In 1827, the importations at N. Y. were, value, \$41,441,000. In 1839, \$97,078,000. In 1840, \$56,846,000.

Mr. Swartwout's cashier, was Mr. Henry Ogden, a shrewd, cunning, good-humored, active, business man, the brother of a late Attorney General of Canada—his assistant was Noah's famous protégé, Joshua Phillips. Between them \$600,000 received for bonds, remain unaccounted for at Washington—no one there knows that it was paid at New York—the cashiers at New York got the money, but what next became of it? Mr. Swartwout was a keen, sharp, crafty politician—matched Van Buren in his influence with Jackson, and was both scholar and accountant. Was he, too, ignorant as to this \$600,000, and these defective returns? *I doubt it.*

Let us look back at Mr. Hoyt.

After three years, or thereabouts, of office, he was about to leave it, and as he well knew, a heavy defaulter. His previous career, was from early insolvency to recent stockjobbing, baseless speculation, unprincipled politics, and great personal embarrass-



ment—his companions were men of his brother's and Mr. Butler's *convenient* morals—and the whigs coming into power.

The merchant pays the duties on his goods to the Cashier, who keeps an entry or account of them—before that, a duplicate of that entry must have been lodged with the Naval Officer as a check upon the Collector's returns of monies received for government.

Between January 6th, and February 8th, 1841, hundreds of thousands of dollars were paid in duties to Mr. Tallman J. Waters. He entered each sum in his book—accounted daily (as he says) to Mr. Hoyt for the money—laid each entry in his drawer, to be filed with the others belonging to each ship—and between these days some twenty or thirty of these entries were stolen—one this day, perhaps two the next, so as to avoid suspicion—the lowest entry stolen, showed duties paid \$ 732—the highest \$ 5,957. In all, vouchers for \$ 63,039 were taken in 33 days—Mr. Hoyt had received the money paid on these entries—and had it not been that when the quarterly accounts went to Washington, a Whig Secretary, “a new broom,” looked sharper into the return, as made up from the impost book, than easy Mr. Woodbury might have done—for the thief who stole the vouchers from the cashier's office, proceeded regularly to the Naval Office, day by day, and carried off the duplicates—Jesse would have been \$ 63,039 richer by the “operation.” But his weekly accounts, and quarterly return, as made by himself and clerks, *differed*—an enquiry was set on foot, and the attempt to rob the treasury of these \$ 63,000, was at length discovered. Had it succeeded *it would have benefited no one but Hoyt*—he would have cleared \$ 63,039, for he had the cash, and not a cent of it had been charged to him on the books of the government. It was a case, the very counterpart of the \$ 609,525 received on bonds, except that in it the lazy financiers at Washington might have detected the rascals by comparing the bonds payable with the monies sent for bonds paid, and on seeing what bonds were long past due and unpaid, and the names of the merchants apparently delinquent, further enquiry would have made all clear. But Mr. Woodbury would not see—nor would Wolf the Comptroller—nor the Solicitor of the Treasury—nor worthy Mr. Ogden the Cashier—nor Phillips his immaculate deputy—and the Auditor did not see it. So we have checks on error and fraud, multiplied and dovetailed, overpaid and useless. To cap the climax, Mr. Swartwout makes oath that he never got the money—Phillips, with like piety, swears that Swartwout did get it. One thing is clear it did not go into the United States Treasury, to be borrowed by Van Buren, Wright, and Butler, as the American Land Company, and used to buy Western lands at government prices, which the people might have had afterwards at 500 per cent. profit on the outlay!

The evidences in document No. 212, H. of R., 2d Sess. 27th Congress, show very conclusively that the merchants' bonds were paid at the Cashier's office—and neither could he (Ogden) nor his assistant show any receipts for the repayment to Swartwout. Now, if \$ 609,525 of money received on bonds could disappear from the cashier's office, is it likely that the cash received on entries of dutiable goods would not also disappear, by the hundred thousand dollars, or the million?

Look at Fleming's evidence before the Commissioners. He admits that his office (the auditor's) could be no check, unless the entry was placed on file, when paid to the cashier—and as to the Naval Office, (kept by Coe, Throop, &c.) it was a base fraud on community, as managed—keeping up a battalion of fat, well fed clerks, who were a pretended check on the collector—but no real check. The law regulating the Naval Office is excellent, but, like everything else, it is perverted by a pack of rascals, who if they don't get the penitentiary here, will be sure of it hereafter.

That the Naval Office should check frauds and errors, says the N. Y. Evening Post, is undoubtedly true, but heretofore the business has been so managed [by \* Throop, Coe, Hoyt, Swartwout & Co.] “as to render this department wholly

\* In Gov'r. Van Buren's letter to J. Hoyt, Feb. 8, 1839, (page 45,) he admits that a doctor “saved us the Herkimer Convention” by getting Enos T. Throop, an attorney, of Cayuga, nominated as L. Gov'r, and ousting Col. Pitcher, a worthy, upright, independent farmer, whom Root had proposed, and who had voted in Congress, in 1816, for the United States Bank Charter, and been appointed by the Regency a circuit judge in 1833. On the 19th of March, 1839, Mr. Van Buren abdicated, and Throop became (*de facto*) Governor of N. Y. State. In his message, Mr. V. B. said, “If ample talents, and a sound discriminating judgment—if integrity and singleness of purpose, and truly republican principles, furnish any just grounds for expecting a safe administration of the government, that expectation, I am persuaded, may, in the present instance, be fully indulged.” Throop pretended to desire the punishment of the men who made away with Morgan, but in his acts he protected them.

dependent on the other." "It was the practice of the Naval Office, previous to the appointment of Mr. Towle, to certify all the accounts of the Collector, even before they had received the signature of that officer himself. This was neither a counter-signature, as it was intended to be, nor a check upon any errors in the accounts, although it passed with others as a voucher of their correctness." "In the case of permits for the unloading and delivery of goods, it was likewise the practice to sign them in the Naval Office *previous to the signature* of the Collector, and then it was done without any actual knowledge whether the duties had been paid or secured to be paid.—

In a similar manner the business has been done with regard to drawbacks or debentures."

Now it was honorable in the Evening Post to expose this most infamous conduct of its political friends—but why did it delay the exposure till Mr. Tyler's commission had been printed? Was there no fit time, from 1829, till Mr. Curtis, a political opponent, was in office in 1844? Look at the Naval Officer's oath, and say whether the Naval Officer's check only became necessary when Towle, the nominee of the retail rum-shop called Tammany Hall, was placed alongside of the whig, E. Curtis? The salaries of the Naval Officer and his aids, and their other expenses, fees, &c., amount to more than \$60,000 a year. Has the whole concern only been a blind to enable knaves to plunder with more impunity from 1829 to 1841? If not—what else was it? The law of Congress of 1799 is good; and by the Comptroller's circular of 1821 the Naval Officer is required to keep corresponding accounts with the Collector, to enable him from his own books, to certify to the accuracy of the Collector's accounts, What avail good laws while bad men conspire to render them unavailing for the general welfare?

The manner of Fleming the Auditor's evidence in 1841, implies a seeming doubt of the accuracy of the books of these Custom House Cashiers—and with reason. Waters might be honest, but what can be said for his assistant, Bleecker? If Waters was absent did not Bleecker do the business? He, the informer-general to Hoyt; the standing witness, at N. Y., Boston, Baltimore, and Philadelphia; who did not tell Swartwout of the villany he professes to have known, because "he had no confidence in him!" Bleecker's own statement, pages 36 and 37 of Hoyt's "Letters," show him to have been long acquainted with wholesale knavery by importers—yet he neither informed the treasury, the district attorney, the collector, nor the naval officer, but *waited* till Hoyt appeared, and then volunteered as informer-general—prosecuted Hoyt for his share of the plunder, was then dismissed, and relinquished the spoils, out of the "Yorkshiremen," to recover them as Hoyt's second cashier!

Is there not the strongest reason for believing that entries were made, the money paid, and the entries cancelled, by some of the worthies described in this chapter, to the amount of millions, between 1829 and 1841? Look at the above facts—at the characters of the men—at *their opinions of one another*—at the ease with which 1000 entries out of 20,000 made in a year could have been put on the fire—and at the confusion and shameful disorder in which the records of the Custom House were purposely kept—the important papers that were and continue to be *missing*—and doubt, if you can, that millions on millions of dollars paid by the merchants have been in this way embezzled! If \$63,039 were very adroitly cancelled as credits in 33 days of the last quarter of Hoyt's incumbency, and the theft only discovered through the change of officers at Washington, who can suppose that that was the only theft in the previous twelve years, under the *indulgent* supervision of Woodbury, Wolf, &c.? It is true, Mr. Duane was the man to put down such practices, had they existed in 1833—but he was got rid of—and even Jonathan Thompson, a Tammany Hall democrat,

Though a mere tool in Van Buren's hands, and that too one of the meanest, the Safety Fund system and the Regency carried him into George Clinton's seat as Governor. I think he was next appointed to an office in the State Prison at Auburn, then to the Naval Office at New York, where he shamefully neglected his duty, and lastly, sent by Van Buren to Naples, as minister. This is one of those expensive follies which glitter in the eyes of corrupt tools of power, and make them the more eager to prostitute their talents in a dishonest cause. Throop was a regular stock-jobber—got \$10,000 in Cayuga Bank stock and \$16,000 in Phoenix, yielding nearly \$4,000 profit at Marcy's estimate, beside other stocks. George B. Throop had other \$10,000 of the Cayuga Bank stock, and Nath'l Garrow, the U. S. Marshal, \$10,000. George and Nath'l were Comrs to distribute it, and they gave their brother-in-law, the Reg'r in Chancery, \$10,000, Montgomery Hunt, whose daughter one of them had married, \$10,000, and their friend S. Beardsley \$10,000, and I understand not a penny was paid on this stock! They managed the job so as to control the bank, George B. Throop became cashier, and the directors borrowed out much more than they had paid in.

removed, he not falling into "the line of safe precedents" as a public pickpocket, *alias* defaulter.

It may be asked—Could additional embezzlements be discovered now? \* I reply—*Cui bono?* There is no way to punish wholesale rogues in this country. And even if you were to recover millions, they would be squandered on army and navy officers who have nobody to fight with, distributed by Vice President Dallas among needy senators, to pay the expense of journeys they never went, deposited in banks as a speculation fund for their directors, to 'trap merchants with, or wasted on some Indian warfare to be got up in Texas, to yield patronage to the executive. Who can have forgotten the splendid bequest of Mr. Smithson, an Englishman, in aid of Education in America? The \$500,000 arrived at Washington. What became of it? A bankrupt corporation in Arkansas, called the Real Estate Bank, sold Arkansas State Bonds to Levi Woodbury for the \$500,000. Senator Sevier and Gen'l Williamson were the Commissioners for the Bank—they charged \$14,000 each for expenses and services—paid \$5000 to a broker at Washington to do the business, and lent \$8500 to persons in New York! These greedy leeches were instruments of Van Buren—but if Smithson had known the characters he was trusting, I guess he would have put one clause more in his will. His gold was sadly reduced before it reached the Real Estate Bank—and when a legislative committee examined the bank vaults, only \$15,000 were found in specie. The debts due it were base and worthless! Listen to the *Globe*!

☞ "The millions lavished on Gales and Seaton for useless printing and documentary lumber to keep up their political and polluted concern, and to make good the terms of the coalition with the conservatives in furnishing support for their double-faced journal—the half million required to complete the distribution job of Clarke and Force—the annual half million wasted on out of the way light-houses, cheating the mariner like so many will-o'-the-wisps along coasts—the millions sunk in throwing stones in rivers and removing sand or mud from hopeless harbors, making holes, to be filled up again by the action of the tide, and the natural currents—all these, and hundreds of other sources of wasteful and useless expenditures, we traced" to *Martin Van Buren*, it might have added. What said Mr. Van Buren's oath? That he would be faithful to the Constitution—and what does it enjoin? Speaking of bills, no matter for what purpose—it says, of every bill, "If he approve he shall sign it." Did he then approve, as his signature attests? Undoubt-

\* I think, however, that much information could be had as to other embezzlements if the bad men who have profited by them were ousted. When a ship arrives from abroad she produces a manifest, or detailed statement of her cargo. The Inspector's return shows what part went to the owners, and what to the public store, for examination, or storage. The Surveyor's assistant compares this return with the receipts and permits. It is also compared with the entries and manifest—and as the manifest itself might be compared with the caskets, in the case of British vessels, there could be no knavery, unless knaves sat on honest men's stools. Why should a deputy collector sign an entry without making a minute of it in a check book? Why should a Naval Officer make no immediate record? Why should it rest on the honor of a Phillips or a Bleecker, or the *fancy* of some gambler in the Collector's chair, whether wholesale fraud or honesty shall prevail? I impeach no one. I reason from the multitude of facts before me. One thing is clear, those who do not want the knavery of former years to see the light will find out nothing. Mr. Lorenzo Hoyt's principle of injuring a friend, but never telling him, has its advocates, even in a Custom House.

I have expressed my belief that the \$63,000 of entries abstracted in 1841 are not the only ones. Look at Ives's evidence in the U. S. Com'r's report. He states, 11th Dec. 1841, "I was in the habit of paying Mr. Phillips, the former cashier, about \$300 a year, and continued the same to Mr. Bleecker." He adds, that B. owed his house \$300 to \$300 for goods, and money lent, but when he had charged these things to him he did not expect to get payment. "I was in the habit," Ives continues, "of handing to Mr. Bleecker, assistant cashier, checks *without date* for cash duties, instead of paying the money. These checks were held by Mr. Bleecker without the knowledge of Mr. Waters the cashier, sometimes ten or fifteen days. It was understood between Mr. Bleecker and myself that the transactions in regard to the checks should not be exposed to Mr. Waters." Waters speaks of Ives's checks, but there may have been many more of them than he knew of—and if Bleecker could keep a \$10,000 or \$20,000 check, taken for duties, 10 or 15 days secretly, "in a black box," either he must have withheld the report of Ives's entry from Waters, or there could have been no daily settlements and paying over balances daily by the latter to Hoyt. From this and other means of information I have concluded that Waters was not always present taking money—and that much that was wrong might have been done with a proper understanding of parties, unknown to him and injurious to the revenue.

In Auditor Fleming's evidence about the missing entries of Jan. 1841, he, (much astonished, of course) declares they were the only documents he had known to be removed. His memory, had it reached as far back as Gilpin and Barker's visit in 1838, would have told him of books, papers, important records, missing, not to be had—and the last quarterly return of Hoyt's predecessor, free from Hoyt's errors, for it was not made out at all!

Mr. Waters swore that he accounted to Hoyt daily as cashier, and paid him the cash balances. If so, the cash account must have told Hoyt and his clerks when he sent his last quarterly return to Washington, that it was a dishonest one, for Waters's book showed the \$63,000 of missing entries, all entered and paid to Hoyt by him. How was it with the weekly return to Washington? Will not legislators who hire knaves find it difficult to enact laws to keep them straight!!

edly, for he was sworn to OBJECT and return every bill which in his judgment, was not for the people's interest. Did he do that? Never in one instance—but when upbraided for the wholesale venality, corruption and shameless profligacy of his administration, he replied through his annual message—that it was not the practice for presidents to object to bills for spending the people's money, on account of their extravagance! Will not this man's name stink in the nostrils of future generations!! I believe it is a fact, that from '37 to '40, Van Buren's estimates, or money asked for public uses, was \$89,000,925. Congress voted \$143,190,106, or 44 millions additional. By the virtue of his oath to object if he disapproved, he signed "approved" at the foot of every bill—as it would be an unusual thing for a president to check extravagance!

## CHAPTER XXXIII.

*The Committee of Congress, 1839—their report. Mr. Van Buren publicly advised of Hoyt and Coe's misconduct. Horace Greeley's prophecy. Mr. Bryant. The Post justifies Hoyt. Official Incomes. Morris and the Post Office boxes. Hoyt pockets \$20,000 for a year (by mistake!!!) Coe's income. G. R. Ives. No fairness shown to the merchants. Wasson, Shourt, and the "privileged carts." Were Hoyt and the Government aware of Swartwout's speculations and embezzlements? Phillips and Ogden. Comptroller Wolf. The late Eckford \$20,000 verdict. H. A. Wise denounces Woodbury. Noah's Puff. Defaulters and Speculators at Columbus and Fort Wayne. Hoyt's insolence. Cost and Character of the N. Y. Custom House.*

We have seen why Mr. Van Buren appointed Mr. Hoyt to the Custom House. The report of the Committee of Congress, 1839, will show that he was well and early informed of his illegal conduct, and mismanagement there—and the inference is, that as he retained him, he approved of that conduct. Speaking of Hoyt and Coe, the committee said, that their returns were incorrect, and not to be believed—that Hoyt was guilty of an unlawful retention and use of the revenue—that Hoyt would neither show them his own book of cash deposits in bank, nor permit the banks he used to show them his accounts—that he carried on his *law* business with his public business, and mixed his own funds, the public funds, and his legal clients' funds all up together, thus creating confusion—that, G. A. Worth had made known that Hoyt had deposited the public money in banks forbidden to him by law as depositories—and they quoted the Attorney General's condemnation of Hoyt's course. The latter, with \$40,000 if not \$60,000, of an annual income, had the assurance to ask, when turned out, another \$200,000 for keeping and taking care\* of the revenue (!), although the Attorney General and Congress had reproved him for withholding it from the Treasury, and Stephen Allen could not get it out of his talons, for his Sub-Treasury.

Mr. Hoyt put into his own pocket, the difference of rent paid for the public stores, and the sums received for storage. This item alone, netted him over \$11,000 a year, but the same dishonest and speculating course is no longer continued. The U. S. pay the storekeepers, clerks, workmen, inspectors, &c. there employed. What a mockery it is to fix the value of one man's labors at \$6,400, when in reality those in the secret well know he is to get \$40,000 to \$50,000 even if he does not plunder and pillage.

\* I do not wish to class Mr. Bryant with such trading politicians as Hoyt, Wright, Butler, &c., [God forbid!] but it ought to be known that he did not sanction the leader in the *Post* of March 1, 1841, where it says, that if a certain statement contained in the *American* "is accurate, we do not see how Mr. Hoyt could safely do otherwise than retain the money subject to the decision of the courts. He might better relinquish his claim to it at once than to pay it over to the department and petition Congress to direct it to be refunded. No tribunal in the country, perhaps in the world, is more tardy, more uncertain, more indifferent to the just expectations and rights of private suitors than the Congress of the United States."

"Mr. Hoyt has been from an early period a warm and intimate friend of Mr. Van Buren, and it must have cost the President an effort of more than his usual firmness to displace him."

Just two years before this, Horace Greeley, in his weekly *Whig* of March 2, 1839, had recapitulated the investigating committee's statement, adding—"In short, every thing appears to be in train for another explosion, whenever the collector shall deem it more profitable and safe to take steamship than to continue in the Custom House." Is it possible that Mr. Van Buren could have persuaded rational beings that Hoyt's career was a separation of bank and state? Too many believed it—but fortunately not enough to renew his term of the presidency."

our merchants on pretended charges of fraud, and then embezzle and pocket what he has thus disgracefully obtained! It is so in every thing. Go to the Post Office, and there you find Lawrence's comrade, Morris, enthroned in an old Dutch church as postmaster. You think you know his salary—but you don't. The law says one thing but practice says another. There are some 3000 boxes paid for by the United States—clerks are paid to wait upon them—and while \$1 or \$1.50 a year is charged elsewhere in the Union for a box, here it is \$4. The \$8,000 to \$12,000 on this, is it not a perquisite of office? Why not end this trickery, cheating, jobbing, deceptive system at once—pay a fair price for the labors of a postmaster, and let the public have boxes at \$1.50, and the government the revenue? Go to the Marshal, District Attorney, where you please, it is everywhere a discreditable, mean scramble, a craving for bread at the expense, too often, of every manly, independent principle. Can Congress do no better for us? Is practical democracy a mockery, and a reproach, or may we dare to love it as in the sunny days of boyhood and youth?

One of the public stores in New York was burnt. Very reprehensible was the conduct of the officers who had the management of the sale by auction of the damaged goods. The nett proceeds were paid to Mr. Hoyt, Feb. 11 and 21, 1840, to be, by him, that day placed at the credit of the government, in his accounts. Did he do it? No. He pocketed the money, \$19,929—*speculated on it for a year*, and merely charged himself with it for form's sake, on the 20th Feb. 1841, just to enable the government to state more correctly the sum total of his embezzlements! "Why did you do it?" says one. "I forgot it," quoth Jesse. The interest of this and other sums kept by him, when the treasury ought to have had 'em, I value at \$10,000 a year, at the usual rate of interest. Besides the use of the \$19,929, he charged the U. S. \$2,000 for storing the goods, auctioned, *in the U. S. Stores*.

I have heard the fees for three years estimated at \$35,025. Here was \$10,000 to him, in that time, from that source. One may judge what a besom or scourge Hoyt was, where he tells us in his letters, p. 133, that the fines, forfeits, and penalties paid by him to the treasury in less than three years came to \$91,000—while in the previous 26 years they had only amounted to \$140,000. Fleming says that Hoyt had \$29,373 as his nett share of this sort of plunder—\$10,000 a year that was—and the same went to Coe and Craig, each, yearly, making their places worth \$16,000 to \$18,000 per annum—though that is *under* the reality.

Hoyt was never satisfied. He told Woodbury that integrity must be better paid. He served 9 months in 1838, and actually contended for the whole year's pay! "Can you be honest, Mungo?" says one of Sheridan's heroes to his black servant. "What you give me, massa?" replied the negro. No man has done more to injure Van Buren permanently, than Jesse Hoyt.

Compare what follows with Mr. Hoyt's conduct to the foreign houses whose goods were seized:

George R. Ives, of the firm of Labron & Ives, was a standing witness for Hoyt in seizure cases. Mr. Lounsberry swore that Cairns of the woollens loft, would pass Ives's invoices as fairly charged, though rated 10 to 15 per cent. under value—while to other houses who gave fair invoices of some kind of goods he would raise the price 10 to 15 per cent. It is conduct like this that embarrasses the honest dealer. On one occasion Cairns raised the invoice price of a lot of woollens 20 to 25 per cent., not knowing the owner. Mr. Ives arrived, said the goods were his—they talked privately, and the invoice was at once reduced to its old rate.

On one occasion a lot of Ives's woollens were measured. There was 3900 yards more than was entered—the fraud was clear. Let him have his goods, said Hoyt. To a foreign merchant he would at once have replied—"I seize your goods, Sir, for the fraud." There were 13 bales and 390 pieces—every piece was 10 yards longer than stated.

The reader will remember George Shourt, whom Judge Ulshoeffer's brother recommended for promotion from the cartage of the Evening Post to that of the Custom House. He got the place, but it was believed that his cart was Hoyt's, *sub rosa*. Be this as it may, G. A. Wasson charged for cartage in three years, \$41,688, and only two privileged carts, at 30 to 50 cents each package, or \$3 to \$10 per load! He charged for labor in the public stores \$51,652—and he made out his bills,

"paid for cartage, \$——" "paid for labor \$——," gave no particulars—touched him \$ 3000 a month as paymaster, and of that kept the larger share as cartman. We can judge of the infamously corrupt character of the treasury office in those days when bills like this for nearly \$ 100,000 were taken without the agent producing a single voucher and the charges, too, so enormous? No matter! Levi Woodbury & Co. did not stand on trifles with a friend. Wasson was one of Hoyt's "battalion of testimony" was made a deputy collector—would nett \$2000 besides, for going from town to town to swear—abstracted goods from the public stores for his own use—and, though professedly poor at first, as an inspector—he suddenly "built several splendid edifices in New York, and set up his carriage for comfort and convenience." Nor is this to be wondered at. The two carts above had made a profit of \$35,000, or over \$10,000 a year.

One effect of the government enquiry under President Tyler was the dismissal of Wasson and Cairns. The former was urged on Swartwout by one of his sureties, as follows:

J. Oakley to S. Swartwout, 2 Cedar St.

"April 28, 1839. Dear Sir.—There is a very deserving man by the name of George A. Wasson a measurer attached to the public store. I do not know that he would, under any circumstances, be removed, as I understand he has been a Jackson-man and was appointed through the influence of Mr. Baldwin of Pittsburgh, who is his friend. As it is a matter of great importance to him, however, he has requested me to speak to you on the subject. I wish you would have the goodness, if his removal is contemplated, to let me see you. Yours truly,

J. OAKLEY.

P. S. Permit me to suggest, by way of manifesting my regard for your comfort, that you had better make the removals and appointments which you contemplate, *at once*. If you do not, there will not be as much of you left in a few days as there was of the Kilkenny Cats."

I think there can be no doubt but that Mr. Woodbury's office knew that Swartwout was a heavy defaulter long before he left for Paris—but it seemed to be an object with him to remain quiet till after the elections of Nov. 1838. Mr. Hoyt and his friends could not have remained ignorant of the real state of Swartwout's affairs after June, 1838, the end of his (Hoyt's) first quarter. They must have seen that Swartwout was \$646,754 behind for cash paid him on bonds. Mr. Ogden, Swartwout's cashier, was Hoyt's cashier till March, 1839—he knew the whole; and yet Gilpin the Solicitor was not sent to New-York till Nov. 1838. If the department received the accounts required by law, Mr. Woodbury must have known of a defalcation, even in 1837—but as he was lenient to other men who had embezzled large sums, but professed to be active partizans, perhaps it was his wish to be so with Swartwout and his friends. When Mr. Swartwout declined to send his last quarter's account to Washington in April, 1838, why did Woodbury not send an officer to get it till November? This shows a corrupt and willful omission of duty on his part, and Wolf the Comptroller is not less culpable. Considering Woodbury's character as a statesman this fact ought never to be forgotten. Gilpin, in Nov. tells Woodbury that the accounts had not been furnished because Swartwout wished them to be withheld till he would return from Paris! Was this a sufficient reason for Woodbury's waiting till Nov. for the quarterly return due in April from the principal revenue office in the Union? Swartwout, Ogden, and Fleming were together in this business. On July 19, 1837, Jesse Miller, 1st auditor, Washington, writes Swartwout—"Sir: Your accounts of Customs and official emoluments for the first quarter 1837 are received." Then the words in italics are crossed out, and a note added:—"The above do not include abstracts of bonds taken and bonds paid." It would thus seem that they were too lazy and indolent at Washington to compel the return from New-York of those statements which, had they wished it, would have at any moment, exposed the chief item of S's delinquency. This letter referred to a return a year ahead of Swartwout's last—and yet Fleming was retained also! Look at the private connection of the parties, with the swindlers of 1836, the insolvents of 1837, the stock-jobbers, landjobbers, and Martin Van Buren their comrade, and you are answered

When Mr. Ogden, in Nov. 1838, told Gilpin of his conversation with Swartwout before he sailed to France in August previous, and that he then well knew of the monies embezzled, are we to suppose that Hoyt would have kept him (Ogden) longer in the cashier's place, had he concealed the shameful affair from him till then? Mr. Ogden had kept office under Swartwout for many years, and admits that he knew that the Collector began to embezzle the public money nine months after he was appointed, and use it in his private speculations, and that he had often told him so, as had Phillips. What was Mr. Ogden's oath as an officer, and his obligation as a citizen? Was it to let the robbery reach 42 tons of solid silver, keep his salary and office and hold his tongue? Did he do this? If he did not, but acted honestly, what are we to say of the president and treasury department, who knew of and yet concealed such wholesale villainy? And if he did, why did they retain him as cashier after this public avowal, one single hour, and till March, 1839? Let me here direct public attention to a recent movement of Butler's, by which, not only is Henry Eckford's estate cleared of all responsibility through his suretyship for Swartwout, but the United States are assessed \$20,000 to Eckford's heirs. There was no "Council fee" from the defendant in this case, I trust—but as the District Attorney knew

\* Mr. Fleming was the auditor from July, 1836, and yet he tells in 1838, that he was ignorant of Swartwout's default till August, 1838, when (see his letter to Gilpin) he told Ogden who bade him tell Swartwout, who pretended surprise, although Ogden owns that Swartwout, Phillips and himself knew all about it, from the commencement in 1839. Why did Woodbury and Hoyt remain silent even then? Congressmen, &c. were to be chosen in Nov'r and silence would help the party. Just so it was when \$50,000 was stolen from the Brooklyn Bank—silence was the most profitable alternative—not to the public, but to the bank.

It is very evident from Mr. Fleming's letter that the full default of Swartwout "was finally ascertained" in August, 1838—and it is equally clear that had Coe, the naval officer, done his duty, the defalcation could only have occurred with the *open* sanction of the Treasury chief. He neglected his duty, however, very discreditably, and it is but tardy justice to give him a place among his comrades here.

A review of Swartwout's case, said H. A. Wise. [Globe report] "shows that every check has been abandoned by the Secretary—the Naval Officer—the Comptroller—not to say by the First Auditor. Sir, if party spirit, like a fiend, did not befriended and sustain this Secretary (L. Woodbury)—pardon and whitewash his hideous deformities and delinquencies—blight all moral sensibility here in this hall and at the White House, he would be removed from office instantly, or be impeached. Go where you will—trace him anywhere, and you will find him dull, stupid, incompetent, neglectful, faithless, and corrupt. I mince no terms—fear no responsibilities. If he had the sensibilities of a man, he would demand a trial. Give me an honest jury, and I will, upon these papers, convict him!"

It is creditable to Polk that Wise holds office under him. Let that go as an offset to the temporary employment of Wetmore and Butler—and it was a spirited act of the clerk of the Auditor at Washington (Mahon) frankly to avow that the "weekly and monthly returns of moneys received and paid at the custom house," the "return of debentures," "abstracts of bonds put in suit," "summary statement of duties collected," "schedule of bonds taken and liquidated," required for the Secretary's office, have not been properly arranged and compared with each other and with the quarterly account current of the customs by the Secretary of the Treasury himself.

Honest Merdecai Noah, who would probably praise Satan when he deserved it, "for a consideration," and who had helped his friend Swartwout to that *spright* Hebrew, Phillips the cashier—Mordecai, I say, was grieved to see Swartwout leave the Custom House, and thus in the Evening Star did he publish the retiring Collector's eulogy:—"There are few men who leave an important situation with more of the public approbation than Mr. Swartwout. The merchants cheerfully admit that the office could not have been better filled." Noah's compliment is very equivocal to the merchants, the public, and official folks in general.

I have said that Woodbury was *merciful* to public pilferers. For example, "Harris, the receiver at Columbus, Mississippi, was a notorious drunkard and defaulter, but kept in office two years, in full knowledge of the department, until he owed \$160,000." So Mr. Wise tells us, *through the Globe*. In Aug't, '35, Woodbury tells Harris that he is a defaulter—again in Oct.—and so on till Sept. 1836, when the fellow proposes to *resign*, after having been two and a half years a heavy defaulter!! A Mr. G. D. Boyd succeeded Harris, and was "intemperate," a land speculator, like Butler, and *resigned*, a defaulter, many thousand dollars in arrears, in August, 1837. John Davis applied next, as "a warm friend of the administration!" Mr. Woodbury, the Secretary, was once a judge in N. H. Were not the people there to be pitted!!

Col. John Spencer, Receiver at Fort Wayne, was charged by the government examiner, (Aug't 22, 1836,) with gross misconduct, as follows:

"Upon the subject of using the money of the United States, I beg leave to state that I find it universally stated, and believed, and it is conceded to as a fact by the clerks in the receiver's office, that both he and his relative, Dawson, have been much in the habit, in the office, of shaving money; that is, exchanging the money which could not be received for public lands; the rate of exchange or discount varying from three to five per cent. I find in the case of Isaiah Wells, of Marion county, Ohio, that, so recently as the 6th instant, he paid into the hands of the receiver, in his office, eight dollars for exchanging two hundred and forty dollars of Ohio bank notes of five dollars each. To what extent this shaving business has been carried on in the office, of course I do not know, but I am satisfied it has been to a very considerable extent; and that the government money paid in by one person has been handed out by the receiver in exchange for uncurrent, or not land office money—he receiving for his own private use the discount as agreed upon; and that the same government money again is passed into the land office, to be again used for the like purpose, in pay for the public lands. That the receiver has taken in bank notes of five dollars, contrary to orders, the schedule prepared at his office, herewith enclosed, will prove; that he received a bonus for taking the same, is, I think, almost beyond a doubt."

On the 27th Oct. Spencer writes Woodbury—"My democratic friends think I ought not to leave until after we hold our election for President," and the Van Buren note *shaver* remained accordingly; Woodbury justifying his conduct and accepting his apologies for irregularity, immorality, and crime!

how Swartwout's affairs stood, it puzzles me to understand the method whereby he arrived, in court, at the above result. The decision deserves to be overhauled, and so does Mr. Butler—and if all be right, so much the better. Both Phillips and Ogden showed Gilpin that, even in 1834, Swartwout's deficit began to be large—and if so, how came this \$20,000 verdict against the United States?

Mr. Hoyt was very insolent to his superior officers. When the sub-treasury act created new relations between him, as Collector, and the government, Mr. Woodbury twice required him to give new bonds, with real security. This he not only flatly refused to do, but replied in the most arrogant and insulting manner possible. Had I been the Secretary, I would have told Mr. Van Buren—"Sir, this man must be dismissed at once, or be pleased to find my successor at your earliest convenience."

Probably Woodbury's office was his dependence for bread to his family. Mr. Hoyt's old securities were utterly insolvent—nor do I suppose he or they have paid back a cent of his default. Mr. Allen became sub-treasurer at N. York, and Hoyt was ordered to pay the large balance in his hands to Allen. Not he! He talked them all out of the cash—corresponded at great length—upheld Beers & Co.—and was upheld by Mr. V. Buren. Mr. Campbell, U. S. Treasurer, had a correspondence with Hoyt in 1839, who wrote him (Oct. 14)—"Mr. Hoyt has no faith in the technicalities of the accounting officers—ONLY A BLOOD HOUND can trace out every little subject of their criticism."

Hoyt was allowed two years to prepare for trial. He had some eight or ten eminent counsel employed—seven of whom attended his defence—the government had but Ogden Hoffman and Hoyt's friend Talmage of Beer's Bank—weeks were allotted to the inquiry—and Hoyt was stamped by the jury ~~as~~ a counterfeit.\*

## CHAPTER XXXIV.

*Remarks on the Judiciary. A decision in the Court of Errors. A Chancellor to be sold out. Butler on \$50 fees—his Christian feelings towards retiring Judges. Ulschoffer on Noah, Judgeships, and State Printers. Mrs. Butler to J. Hoyt—a race of poor Judges for a District Attorneyship. Edmonds and Sutherland.*

This chapter contains a variety rather of letters and extracts from letters which throw more light upon the practice of the law courts,† and the way in which judges and district

\* As well as I can ascertain, \$300,000 do not defray the cost of collecting the revenue at New York alone. There is much mystery about the incomes of parties employed—much trick and political juggling, from which Mr. Walker is not so free as he ought to be. Directly and indirectly, over 600 persons are employed in the Custom Department—a tremendous political engine, when required at high pressure, with so thorough and unscrupulous a partisan as Lawrence at its head.

I could prove, were it of any use, and perhaps the opportunity may soon be given, that the public business would be well done—and it has not been so—with far less than half the men and half the expense now incurred. But to do business thus the very best men must be selected; capable, faithful public servants, among whom an electioneering subscription, or a question as to party politics would never be asked. What a blessing to the public and the merchants it would be were the national broom to be applied in earnest to the marble temple in Wall street, and its horde of jobbing politicians, pensioners, and mock officers swept out!

Nineteen years ago, when the N. Y. Custom House patronage was not one fourth of what it has since arrived at, Mr. Van Buren, Mr. Benton, and others were a committee of the Senate to inquire into such matters. Speaking of its officers, Mr. Benton then said:

"A formidable list, indeed! Formidable in numbers, and still more so from the vast amount of money in their hands. The action of such a body of men, supposing them to be animated by one spirit, must be tremendous in an election: and that they will be so animated, is a proposition too plain to need demonstration. Power over a man's support has always been held and admitted to be a power over his will. The President has 'power' over the 'support' of all these officers, and they again have 'power' over the 'support' of debtor merchants to the amount of ten millions of dollars per annum, and over the daily support of individuals, professional, mechanical, and day-laboring, to whom he can and will extend or deny a valuable private as well as public patronage, according to the part which they shall act in State as well as in Federal elections."

They all tell on each other. Benton is now as silent as the tomb—but hear the N. Y. Evening Post of 1843!—"Of all the administrations which the country ever had, it appears to us that Mr. Tyler's has made the most corrupt use of its patronage. Never, we believe, has the bestowal of office been so much a matter of bargain—so shamelessly coupled with the condition that the receiver should exert himself to secure the election of his patron." Listen next to the Globe by Blair—"We do not hesitate to say that, at this moment, the entire patronage of the Executive is employed in buying up renegades from the Democratic party."

Probably this little book will prove that both Globe and Post were in the wrong for this time at least.

† As a proof of the necessity of reform in the judiciary take the case of the Brooklyn Bank. Secretary Woodbury made it a pet—ordered the cash for the Navy Yard, &c., to be kept there—and soon after this one or more of its officers robbed it of more than half its capital. The first robbery was about \$49,000. Three or four of the directors knew this—and concealed it from the others, from Van Buren's safety fund



attorneys are, or formerly were, made. We have, first, Mr. L. Hoyt's letter describing his satisfaction at a legal triumph over equity in the Court of Errors. Then we have Mr. Livingston's account of a Chancellor about to be sold out by the sheriff! Next, an evidence of Mr. Butler's feelings towards Judges Spencer and Woodworth—followed by two characteristic extracts from letters by Judge Ulshoeffer (who did not want to be a first county judge) about judge making—and lastly, a couple of sententious epistles from a lady—Mrs. B. F. Butler—to her dear friend Mr. Jesse Hoyt, in which she asks his aid to help Judge Sutherland down from the supreme court bench (if he had not already left it) and up to a \$30,000 salary, "on account of his peculiarly unpleasant situation in a pecuniary point of view"—admits Judge Edmonds' claims, "so far as pauperism is a qualification"—mentions Price, and her good man's guess about him—admits herself to be an old federalist—and consoles Jesse under his "misfortunes," hoping that he "would yet see brighter days."

Extract from a letter—Lorenzo Hoyt to his brother Jesse [both of them Albany lawyers] dated Albany, Dec. 24, 1823—"McDonald's cause is decided in his favor, and for which I think he may thank Chief Justice Savage. Sutherland and Woodworth, together with 11 Senators, were dead against him. I CONSIDER IT A TRIUMPH OF THE LAW OVER EQUITY AND GOOD CONSCIENCE. I must say I had but very slight hopes before the argument, but after the cause was argued, and the facts so ably and correctly laid open to the Senate, I thought McDonald's prospects brightened. Messrs. Van Vechten and Henry, who argued the cause on the other side, were sadly disappointed at the result. From the circumstances of Mr. Butler's being engaged as Counsel, my feelings were much enlisted in McDonald's favor, and I felt very much interested in the result."

Edward Livingston to Jesse Hoyt. [Extract.] Albany, post mark, May 14. "I have abandoned all idea of settling at Albany. The Chancellor has been so much perplexed and harrassed of late that he this day permits his furniture to be sold at sheriff's sale\* and bought in. This will be my apology to you for this short letter." [The date is not given, but it must have been between 1821 and '27. He adds that] "Seymour it is supposed is elected in the Western District.—Make me one of the Committee in the first ward [of N. Y.] for nominating. Tell Hatch to attend to it."

Mr. B. F. Butler to Mr. Jesse Hoyt, 40 Wall st. New York, Oct. 12, 1820.

Dear Sir,—I am happy to hear of your success—and hope it may continue—\$50 and \$100 fees are not very plenty in this part of the country, at least not with young lawyers. Our circuit still continues. Judge Woodworth, in person and in business—"Like a wounded snake, drags his slow length along." He has

com'rs from the public, and from the bank committee of 1837. John A. Lott was first county judge of Kings, and a director, and when he knew of the felony he abstained from calling attention to it. Even when Mr. Treadwell, a Counsellor in the U. S. Supreme Court had written out a complaint, sworn to and placed it in Judge Lott's hand to send to the Grand Jury, he did not send it though he said he would. The concealment of the Bank embezzlement was felony—so was the embezzlement—but no one was proceeded against. Crime was hushed up lest Woodbury would hear of it and take out the deposits? Like Butler, the first care was to "save the bank." If bank directors will do this to get the deposits—if judges will thus act on their oaths—what must be the influence in the hands of a corrupt and vile government who have continually ten or fifteen millions by which to attract the support of the lovers of mammon! As a Senator this judge voted for Barker to be Attorney General, that was of course. Another John Lott, a general, from same place, being in "necessitous circumstances," applied to Major Swartwout for \$1500 a year in the Custom House, and went into office there accordingly.

\* A Chancellor's chairs and tables, feather beds and palliasses, going under the hammer at Albany, for debt, looks like a sign of judicial purity. If he had stained the ermine by taking bribes, like Lord Bacon, he would have been more wealthy, and better able to keep off the sheriff: I wish the Ex-Clerk of Assembly had been so careful as, to date his letters, that we might have been enabled to record the name of one Andrew Marvell at least in the midst of a judiciary of political partisans and dealers in stocks, shares, scrip, and all the hocus pocus of Wall and Lombard streets. Marcy comes next to him. He was placed on the Supreme Court bench, (says Gov. Van Buren), to ensure his salvation from ruin in this world at least. I fear he was too long grateful to his benefactor.

It is a common by-word that the N. Y. Custom House is a sort of lazaret-house or hospital for diseased politicians, but I did not expect to see it acknowledged by the leaders of 'the democracy' that the Judiciary bench is not much better. Some folks think that Judges lose their wisdom at sixty—others that they improve as they get older. In some countries men are chosen to preside in the courts, because of their honesty, skill and learning—while in others they ascend the bench, or fill the procurator fiscal's seat, on the principle on which neat cattle are stall-fed—to fatten them. Will not these facts rouse the true hearted millions to prepare for ~~the~~ the Convention?

given very general dissatisfaction this court. . . . The city has been full of farmers, &c., these two days—at a cattle show—but I have seen nothing of it myself. Chief Justice Spencer delivered a speech on the occasion, *by way, as I suppose, of preparation for the period when he will be compelled to retire to the shades of private life.* . . . In haste, yours, truly,

B. F. BUTLER.

In another letter, April, 1819, Mr. Butler tells Mr. Hoyt from Sandy Hill, that "The appointment of Judge Woodworth is universally reprobated here; without any exceptions, except the Clintonians."

Extracts of letters from Michael Ulshoeffer, 1st County Judge, N. Y., to Jesse Hoyt, member of Assembly, Albany.

New York, Feb. 3, 1823.—"I presume that our city appointments are to be recommended by the members, at least I have been informed that such is the wish of the Governor. Will your friend Noah consent to this?—for I see by his paper that he rules at Albany, and that those who offend him are to receive no quarter. Pray inform me whether he is authorized to say, as he does in his paper, that all who are not *his* friends had better stay at home, or not offer their names at Albany this winter? What are you doing about state printer, will not *Leake* obtain it? Let me also know whether any open or concerted opposition is made, or making against the Governor.

New York, Feb. 18, 1823. With respect to the Comptrollership, I can only say that it was not desired by me, and that I had so written before I received your kind letter. I have no such views, I assure you. Even that highly respectable situation would not tempt me to leave here and reside at Albany: *Nor do I desire to be made first Judge in any event.* My views are more humble, and I have no intention at present to become a candidate for any office beyond that of a Notary Public. Accept, however, my grateful thanks for your friendly intentions, and if I have an opportunity, I will reciprocate. Do not make a State Printer,\* who will transfer the feuds of New York to Albany, and throughout the State. Dullness would be preferable to indiscretion. Do look to this. I regret that the appearance of things is unpropitious at Albany. But is it necessary to oppose Governor Yates? Will not things go on smoothly in future? If the members of Assembly have recommended the county Judges, how comes it that the Governor nominated *Barstow, &c.*? Has not the Governor complied with the members' wishes in this respect?"

From Mrs. Harriet Butler (Wife of B. F. B.) to Mr. Jesse Hoyt.

Pm'k Washington, Feb. 19.—Addressed to Jesse Hoyt, Esq., N. Y.

[Private.]

"Washington, 18th Feb. '34.  
"My dear Sir—You must either work for Judge S. [Sutherland] or yourself, if you do not wish Tallmadge to get the office of D. A. [District Attorney].

His brother works like a Cart-Horse in the matter, and things are working well for him.

Mr. B. [Butler] only yielded to Judge S's claims over yours, *on account of his (the Judge's) peculiarly unpleasant situation in a pecuniary point of view.*

Do help the Judge. The decision of the matter is to be left to the N. Y. Members—Representatives and Senators—and they are all pretty much to a man committed to Tallmadge.

Great haste, sincerely yours,

H. B."

†[Harriet Butler.]

\* Adverting to Mr. Butler's letter in pages 38 and 39, I must say that one of the most dangerous and wicked of the tricks, by which elective institutions are often entirely nullified, and artful intriguers placed in trusts requiring honesty and capacity, is our CAUCUS system by which the men of one way of thinking on politics meet in a room and agree that whenever one of their number shall get a majority of the votes of those then present, were it but one vote more than half, he shall be the nominee of the whole, and all go for him in the legislature. The effect is to elect in very many instances, men who could not get half, sometimes little more than a fourth of the unbiased suffrages of all the members, were it not for this contrivance. In this way Van Buren got to be a U. S. Senator, with a majority of the votes of the legislature against him—in this way the choice by the people of the electors of President of the U. S. is often nullified—and by this means are the liberties of the country undermined. Never was there a more gross burlesque on nominations than what is seen at Tammany Hall, and it is really wonderful that New York submits to it. Surely the wisdom and honesty of a free Convention will be able to provide a plan whereby our political nominations shall become in all cases, the act of a majority of the people, and not of sordid, selfish leaders of unprincipled factions.

† Where brackets [ ] are used in any letter or extract, it is by the editor, to explain the meaning of abbreviated words, &c. I wished to keep the ladies out of a political work of this kind, but Mrs. Butler deserves to be an exception to the rule.

Endorsed by Hoyt, "H. Butler, Feb. 24th, 1834." Addressed "Jesse Hoyt, Esq., New York."

Washington, Feb. 24th, 1834.

My Dear Sir—I can only say in relation to the office which was the subject of a former letter, that you have become a candidate too late in the day for any hopes of success.

If Tallmadge and Sutherland are set aside, as is very likely they will be, if the matter is referred to the Delegation, *I think Mr. Edmonds will succeed.*

So far as PAUPERISM\* is a qualification and recommendation to the favor of party, *surely you will give in to THE LAST NAMED PERSON.*

But it is a pity, *if you really want the office*, that you did not say so at the commencement of the session. You may as well, however, write to Cambreleng, *who I hear is committed for you*, and he will be able to tell you all the difficulties about the affair.

PRICE, it is thought by Mr. B. [Butler] will be the person the delegation will unite upon, if they cannot agree not to disagree upon either of the first named persons—but I am of opinion Edmonds will be the man.

*I am happy that you can talk so cheerfully of your misfortunes. I hope that you will yet see brighter days though.*

I perceive by one of your letters you are getting to be quite an old man.

Mr. Butler still continues strong in the faith (Jacksonism) and thinks that all the political troubles of the day are necessary to the purification of the body politick. That lessons of wisdom will be learned *now* (and learned by heart) that will do men good.

[Here four lines of the lady's MS. are carefully erased! She adds—]

Don't be curious to know the above—it only showed a *little of the old leaven of Federalism, which my admission to the Cabinet cannot or has not yet, covered.*

The mail will close and I must haste—

Sincerely yours,

H. B.

Mr. J. Hoyt.

[Harriet Butler.]

## CHAPTER XXXV.

*Mr. Butler's revenues as U. S. Attorney. Why he is again in office? Enormous law fees extorted. "Betts's foraging ground." Wise on Defaulters. Samuel R. Betts. He explains the Sub-Treasury Law in Hoyt's case!! The Betts family. \$18,000 a year for one clerkship!! Theron Rudd. Cruel persecution of La Chaise & Co. Bribed and perjured witnesses sent to testify!! Butler persuaded to take "half fees." Picture of a Religious Hypocrite. Legal Robbery. Birchard and Hoyt combine to discard the merchants of N. Y. from juries, as not trustworthy! Hoyt extorts \$85,000 of blood money from foreign houses. The Convention.*

In the course of 28 months,† Mr. Butler realized, as District Attorney, from the government alone, \$62,690, besides enormous and unlawful [yes unlawful] fees

\* John W. Edmonds's name as a political manager is familiar to our readers. That quality, with his connections with Van Buren and their old associates, and the uses he may be put to as a political character in a wider and more influential circle, may have decided Governor Wright to elevate the dealer in stocks and shares, law and politics, Warren street, N. Y., to the bench. He believes in Morris' unwritten law—warned Glentworth to go away, and gave up to him the very papers he afterwards justified Morris for hunting after at midnight. 'The end justified the means.' In Nov. 1831 he was elected for the 3d district to the Senate of N. Y.; followed Silas Wright to get hold of the deposits in 1834; is said to be plous; can keep his office, worth, I hear, \$6000 or more, till three score; wears the anti-slavery face of Van Buren politics; has done a deal of party work in his time; was inspector of Sing Sing prison when he got Judge Kent's place; and is lauded in the N. Y. Evening Post for his 'zeal, efficiency, enlightened and benevolent views.' When we get to the close of Mrs. Bodine's case I will have more to say, in a future edition.

† Nothing can be more erroneous than that men of humble origin are more friendly to the class among whom they were reared than the dwellers in palaces and among the opulent of the land. "The beggar on horseback" is often found in America. Look at Jefferson and Lafayette—reared in wealth—then compare their conduct with that of M. Van Buren and B. F. Butler, who began life selling spirituous liquors in taverns, and J. Hoyt, an insolvent store keeper. The latter sneers at merchants foreign born, and talks of his "long line of ancestors." In his friends Noah and Philip's National Advocate, of Dec. 1813, and in the Long Island papers, he will find Jesse Hoyt, of Stamford in Connecticut, advertised, with others, by his Captain as a deserter from the United States Army. Perhaps this *same* was of no kin to him—perhaps a near relative. What matters it? I state the fact in condemnation of his inhuman conduct to *children of men*. It is cruel to denounce bad and good together, of any race or body of men.

from defendants, whom his jackall Hoyt had pounced upon, and the profits of his private practice. This was better than Sandy Hill and the W. and W. Bank, under Jacob Barker. Mr. Butler is again District Attorney—and it is believed that the monstrous and iniquitous (even where legal) fees and gains he got formerly, are *materially* curtailed by act-of Congress. *I know that it is not so.* He will not be so barefaced in his exactions now as he was in Hoyt's time—but his income is enormous, and unbecoming the style of a frugal republic. No Congress could possibly have intended to erect such a torturing, harassing, grinding inquisition as the U. S. Courts here are shown to be in the session papers of Congress. Messrs. Hoyt and Butler were old comrades—when in power they understood each other—and if they did not pluck the public goose, it never will be plucked by man nor woman neither. I refer to the U. S. Commissioners' reports and testimony, No. 212, 27th Congress, 2d Session, H. of R. [Executive,] containing the history of Hoyt, Butler and the N. Y. Custom House, printed by the nation, May, 1842. How President Polk, with the facts there stated, all in array before him, could replace Mr. Butler where he now is, passes my understanding. I wish I could spare the means to spread, gratis, though the whole Union, the evidences of recorded works of the praying, exhorting, Sabbath-keeping District Attorney of Southern N. Y.

In one case, the Schooner Catharine, the U. S. Marshal, at New York, took \$2247 as his costs, though the proceeds of the sale were only \$3000—in another, Elliot & Co. Mr. Butler brought 40 suits wrong, stopt them—got \$2395 as his costs—brought another suit against them (same case)—exactd other \$1142 cost—issued (by his order) execution, and there were no goods to take. Butler knew there was "little prospect of collecting the debt" when he piled up these costs. "Strange and impalpable to common honesty as it would seem, COUNSEL FEES, varying from \$50 to \$500 were demanded AND EXTORTED FROM THE DEFENDANTS in such suits, by B. F. Butler, while U. S. District Attorney," as a condition to a settlement for the government, or a stay of legal process ! ! ! ! ! The Congress Report adds, that the court was styled "Betts's foraging ground," like the debatable ground, where black mail was levied or might have been during the revolution.

Shortly after the accession of the German, George I, as King of England, his favorite cook sought his royal permission to return to Hanover, and assigned as his reason the profligate waste of all articles of food in the king's kitchen, so very different from German frugality. "Never mind," said his majesty, "do you steal like the rest—my present revenues and good people can stand the expense"—and added, with a hearty laugh, "be sure to take enough." Our Dutch ex-president's advice to his cooks, Hoyt, Butler, and the Betts family, seems to have run in the old Hanoverian strain of upstart royalty—"Do you steal like the rest, and be sure to take enough !" \*

Samuel R. Betts of Sullivan Co., N. Y., was with Wm. M. Price and others, admitted a Counsellor at law, in Albany, August 1812. Judge Yates nominated him as a Supreme Court Judge in 1823, but the Regency in Senate dissented, agreeing however, same year, to make him a circuit judge. Finally, he succeeded Mr. Van Ness as U. S. District Judge in N. Y. The evidence in the Government Commissioners' Report showed, that Mr. Hoyt had put into his pocket the excess of cash balances, and refused to pay the money to the U. S., as required by the law of July 4, 1840. The Solicitor of the Treasury advised a criminal prose-

\* After the Committee of Congress, 1830, had shown the shameful neglect of Woodbury, the misconduct of Swartwout, Coe, &c. and the heading strides that Hoyt was taking towards embezzlement, speculation, and fraud, one of their number, H. A. Wise, after reviewing the whole subject, in a speech delivered in the H. of R., and published in the Globe, remarks, that it is the President's duty to take care that the laws be faithfully executed. And (he adds) "after what I have laid before you, let me ask, 'What use would there be in humbling ourselves to become spies and censors to report defalcations and crimes to this Executive, with a view to a prompt removal from office? Why pass laws to enact that the application of public money by an officer of Government to private uses shall be a felony?' Will reports or statutes avail any thing? Vain and idle! they would the more cloak and conceal and protect these plunderers. Pass any pains and penalties; adopt any system of laws you please—United States Bank, pet bank system, Sub-Treasury—and let me ask if either could be expected to work well in the hands of such men who 'countenance' such 'faults?' Sir, we are told by that philosopher in government, Wm. Penn, that the best system will be as the worst if badly administered by bad men; and that the worst system will be as the best, if righteously administered by good men. A change of men is what is wanted—a general turn-out of all faithless trustees and servants."

The result has shown that Mr. Wise clearly understood the character and objects of Martin Van Buren and his black-banded parasites and locusts.

cution—Crittenden, Attorney General, and Ewing, Sec. Treas., considered Hoyt liable to a criminal indictment—Judges Betts and Thompson, when applied to for a warrant to arrest Hoyt, were of opinion that he was not liable, although he had kept back, had not entered, but had refused to pay over public money. The law said that defaulters were to be sent to jail—the judges replied that it did not mean it. The Sub-Treasury law was then a mere mockery—a trick, to be reproduced next election, *with new music*, if the pots blow up again. Hoyt's decision, with Van Buren's consent, to take checks on banks, and call the bank notes specie, which was constantly acted on, show that hypocrisy was always uppermost there also.

Mr. Betts was a keen, sharp, money-loving sort of person, and the government commissioners, from the manner in which he filled up the offices in his court, making it a sort of family concern, became suspicious that the law of Congress, limiting fees and salaries, was evaded. They accordingly required from the officers of his court answers on oath as to fees, salaries, &c., and inquired what was their relationship to the Judge, which last question appears to have put his honor very much out of temper. In John Harris's testimony (Doct. 212, p. 405) he states that the clerks of the U. S. district and circuit courts, in New York particularly, had annually exacted enormous fees. *Judge Betts's brother* was clerk of both, and he admitted that he had taken in cash \$18,000 a year, for his clerkship for one court only. How much he got out of the other court is not stated—but, *in due time* he resigned, and Judge Betts next appointed *his son*, then under age. Even a leech will leave off sucking human blood when it is full.

“The judge might not be interested in the fees before; but is he not, now (1842) that his son is appointed, interested in the fees? And if he be, is he not interested in forfeiting goods? For, if there were no forfeitures, the trials would cease, and there would be no fees?”

Collector Hoyt informed the law officer of the Treasury Department, officially, [p. 12, doc. 212] “that he had no confidence in judicial adjustments, and considered it a hopeless task to get verdicts from Judge Betts and Mr. Waddell's juries”—he therefore preferred a compromise. To the government com's. he appeared to be the great controlling power in Betts's court—though he, Hoyt, writes of him thus [p. 20.] “Mr. Fleming informs me that he only heard of the seizures by accident, and he knew nothing of them till the returns came from the clerk of the court, *into whose hands the judge of the Court [Betts] is prone to be careful to have the money paid, so that his brother (the clerk) would get his fees and commissions.*”

Theron Rudd was clerk of this court many years ago—got ‘his fees and commissions,’ and took care to secure, as his own share of the people's money, \$120,000, entrusted to his care, which he buttoned close up in his breeches pocket, *and kept it too.* Theron was a delegate ‘for Mr. Van Buren's cause,’ as Bennett would say, up at Herkimer, long after that. These great defaulters are all great friends of Mr. Buren, who thinks that Morris's never written laws don't apply to their cases. Their sympathies and Mr. V. B.'s seem to run all one way. Theron, Butler, Price, and the Bettses, judge, son and brother, have made a great deal of money out of U. S. Courts in their time.

In 1839, a bale of goods was seized—Samuel Bradbury claimed it. After two years of a law journey thro' Mr. Betts's court, it was sold in 1841, and its contents (cassimeres) brought \$321. (Attorney) produced his bill of costs, \$225—Betts's clerks theirs, \$81—the Marshal his, \$83. The proceeds were swallowed up by the democratic law-dispensers, and the collector paid them other \$68 to square their accounts! Hoyt and Butler's zeal for “compromises” did not diminish after the election of Harrison.\*

\* Mr. Bennet, when chairman of a committee in the British parliament, made a report on certain extortions and cruelties practised in a jail in London. Jones, the jailer, was examined, who testified that he was only a deputy—the real jailer being a son of the Lord Chief Justice, and then abroad—with whose father he shared the immense profits of his prison house, per agreement. The story produced an epigram, not inapplicable to our Betts. Here it is—

When England's chief jailer was called to account,  
And compelled of his profits to state the amount,  
The committee observed that the sum was too large  
For one who had merely of prisoners the charge.  
“The sum!” exclaimed Jones, “Why, the Chief Judge's son,  
A lad, who abroad on his travels had gone,

The case of La Chaise, Fouché & Co. is thus reported by the Com'rs to the President.—“The means resorted to by Hoyt to obtain *money* from these foreigners, are unsurpassed in enormity and official perfidy by any act during his continuance in office. It seems to have been the policy of the collector, when he designed to make seizures, with a view to compromises, to select foreign houses, with whom there would, in all probability, be less sympathy in the community, and a better prospect of success than there would be if like proceedings were attempted on an American house.” La Chaise & Co. were Frenchmen, ignorant of our laws and language, of good standing, and prosecuted a successful business in New York as importers of French silks, &c. Mr. Hoyt cast his eye upon them, as fit subjects for his and Butler's system—Campbell and Davis were put in requisition. Of the former I have spoken—Davis was equally vile and infamous. Of Campbell, Hoyt writes to Sidney Bartlett, Boston—“By a perusal of the testimony on the trial here, you will readily perceive that he is ready to make any statement to serve himself, *without reference to the truth of the case.*” In reading of Hoyt and Butler's conduct in office, I have been irresistibly drawn to connect them in my mind with the infamous creatures in Ireland, who kept “the battalion of testimony” always in readiness to swear away the lives of the men who had risen for freedom in 1798.

La Chaise and Fouché became the victims of Hoyt's avarice—the charges against them were “compromised.” They had goods value \$70,000, in their store. Of these \$40,000 worth were free of duty—the rest were dutiable and paid, except their last received goods, for which the collector had their bonds to permit an examination, if desired. Five cases waited an appraisement in the public store. In April, 1838, Hoyt sent his myrmidons to seize everything in their store, paid or unpaid, free or dutiable, and at the same time he seized the five cases in his own custody, not waiting for an appraisement. Mr. La Chaise was arrested on a charge of perjury, next—the wretches Campbell and Davis swore that the House had bribed them—three indictments were prepared—the grand jury found the bills, on C. & D.'s evidence. The marshal kept the goods a year, before the district attorney filed informations, and the case was kept from trial till these unfortunate foreigners were forced to accept Hoyt's terms for a compromise, or sustain a total loss of their property. Hoyt wrote to Coe, at the same time, that he well knew he could neither get them convicted on the civil or the criminal suits, and he gives this as a *reason for a compromise!!!* He knew he could not recover in an American court one cent, he therefore advised with Butler, Coe, &c. and offered to take \$45,000, and the law fees, and compromise the whole, perjury cases and all! \$2,500 were the costs—and Hoyt and Butler compounded the felonies, as they affirmed they were, for a pecuniary consideration!! Campbell and Davis had no hesitancy in swearing all Hoyt required before the grand jury, to ruin these innocent merchants, but they durst not come openly before their countrymen with the same tale—the pains and penalties of perjury stared them in the face, and although they had undertaken to *swear by contract*, at the instance of the degraded and unprincipled Hoyt, they shrunk from the bargain. Butler's report, Aug. 22, 1839, says, “No suit was brought for unpaid duties, and no probable ground of recovery in any such suit could be discovered.” He adds, that it was suspected they had frequently entered goods too low—and this *mere suspicion* was the whole grounds of this persecution. What if they had done so? Were not the sworn umpires who had passed upon their goods chosen by the President and Senate, with power to place higher valuation on the same if they had chosen to do so? \$6,300 was taken from these merchants for duties estimated on goods seized—\$18,968 on penal bonds pretended to have been forfeited because they did not deliver to the collector some part of the very goods he had previously seized—an impossibility. One of Butler's items of costs was \$500 as his *counsel fee*—and in their review of Butler's report, the U. S. Commissioners call it “an appeal to the government for its approbation,” because of the “pecu-

Is the jailer in fact, by his father selected;  
And to him I account for whatever's collected;  
But the son being yet but an infant in law,  
The Noble Lord takes what the latter would draw.”  
Fair Justice of England! what ills can assail her?  
While the father's Chief Justice, the son is Chief Jailer!  
His zeal yet a step would the Noble Peer stretch,  
Let him take his next heir, and make him Jack Ketch.

niary gain, obtained by duplicity and management, out of court, which could not have been recovered in a fair and impartial trial."

Besides being frightened out of \$47,500, the unfortunate Frenchmen had their trade stopt, and their goods under lock and key for over twelve months. The accommodating Mr. Woodbury approved of Butler and Hoyt's course, and, say the Commissioners, it is asserted that Judge Betts took the same view, on the application of Butler for his sanction. *I would not at all doubt it.* Yet it is rather hard to the foreigner to exact penalties where the exactor, like the law, admits innocence or the absence of proof of guilt. Bleeker, Hoyt's assistant cashier, when the \$63,000 worth of entries disappeared from the cashier's and naval offices, was the informer against La Chaise, but he never brought him forward. Mr. Curtis speedily turned him adrift.

We have seen Mr. Butler playing the banker at Sandy Hill, the lawyer at Albany, the politician at Washington, and the speculator everywhere. The disinterested and pious law-partner of 'the magician,' is now at New York. In his speech at New Brunswick, 8th Oct. 1840, he says, that Mr. Van Buren told Mr. Forsyth to tell him that if he did not like the office of D. A., it was hoped he would take it in consideration of the great public interest at that moment at stake in New York. On the 12th of Dec. 1838, he took office, and Mr. Hoyt wrote to the Solicitor of the Treasury, same day—"I am amused with Mr. Butler—he is so *terrified at the iniquity of the age*, that he has made up his mind not to receive a dollar of the public money, but he intends to make me receive all; and *I am quite apprehensive that he will not even receive his own costs.* I am sure he will not receive half as much as he will be entitled to. I shall *lecture* him on this subject." Mr. Hoyt knew his man better than this. Independent of his private law business, opinions, advices, &c. &c., Mr. Butler took from the U. S. alone, in 1839, \$18,235—in 1840, \$32,210—and resolving to have a grand haul out of compromises, settlements, "Yorkshiresmen," Frenchmen, the worthy descendant of the Connecticut scythe-maker, and of Oliver Cromwell (!!) condescended to receive for his legal labors during the first quarter of 1841, only ~~33~~ \$12,244. No doubt he would have taken more, but for "the iniquity of the age."

In Butler's Memoirs, Democratic Review, Jan. 1839, we are told that "Mr. Butler has been, since the year 1817, a *professing* and zealous member of the Presbyterian church." Why not put the profession into practice? Only two years after he joined the church, he wrote to Jacob Barker from the Bank—"I told him [Gilchrist,] *I was ready to pay specie*, but commenced paying Wiswall," &c. His letter was written on *Wednesday morning*—it admits that he had but \$1,400 in specie to serve all comers till Saturday morning, and that Wiswall had presented \$4,800, and Gilchrist \$5,300 of the notes of the Bank for payment. Did not Mr. Butler tell an untruth here? Gilchrist, he adds, did not wait. And why? Because he saw that Mr. B. had resolved not to pay him. In the Democratic Review Mr. Butler's biographer assures us, that "before he left the bank, by great exertions and care, its credit was restored, and specie payments resumed." Not one word of this is true—yet our *zealous professor*, though a known contributor to the Review, remains acquiescent and silent! "He was," says the Review, "from the commencement, one of the most zealous advocates" "of the temperance reform." Is the three hours' debauch behind the bank counter, with the Young Patroon, the zealous advocate's practice? If the Presbyterian church allows Mr. B. longer to remain in her communion, without evidence of deep contrition, she is a fallen star as compared to what she was in the honest old times of Calvin, Knox, Rutherford and Renwick—but we do not desire to anticipate her course, with a brother who, on his own showing, has been guilty of the crime of obtaining money upon false pretenses."

Speaking of Barker's conduct in the Washington and Warren, in 1819, Butler, as his counsel on the trial in 1827, when he was convicted for his frauds in 1826, said, "I know that the most unparalleled exertions were made by him to redeem his bills, and to indemnify the public. . . . If he could have coined his heart's blood into golden drachms, not a drop of it would have been withheld, whilst one of his notes remained unpaid. . . . Since then he has labored with untiring assiduity, and PROVIDENCE has smiled on his exertions." Even as a money-changer, and stock-jobber, Butler cannot help presenting his confederate to the

court as a successful gambler, whose trade is under the especial guidance of ~~99~~ Providence!!!

The youthful and observant Pollock, in his "Course of Time," sketches the picture of one, who at the day of judgment was sent below—

Where still his face, from ancient custom, wears  
A holy air, which says to all that pass  
Him by: I was a hypocrite on earth.

I bestow it on Mr. Polk's friend, the District Attorney at New York, with injunctions, that, at a mirror, or elsewhere, he shall try to find the original;

"He was a man  
Who stole the livery of the court of heaven  
To serve the devil; in virtue's guise  
Devoured the widow's house and orphan's bread;  
In holy phrase transacted villainies  
That common sinners durst not meddle with.  
At sacred feasts he sat among the saints,  
And with his guilty hands touched holiest things;  
And none of sin lamented more, or sighed  
More deeply, or with graver countenance,  
Or longer prayer, wept o'er the dying man,  
Whose infant children, at the moment, he  
Planned how to rob; in sermon style he bought,  
And sold and lied; and salutations made  
In scripture terms; he prayed by quantity,  
And with his repetitions long and loud,  
All knees were weary; with one hand he put  
A penny in the urn of poverty,  
And with the other took a shilling out.  
On charitable lists—trumpets which told  
The public ear, who had in secret done  
The poor a benefit, and half the alms  
They told of, took themselves to keep them sounding—  
He blazed his name, more pleased to have it there  
Than in the book of life. See'st thou the man?  
A serpent with an angel's voice: a grave  
With flowers bestrewed! and yet few were deceived  
His virtues over-done, his face  
Too grave, his prayers too long, his charities  
Too pompously attended, and, his speech  
Larded too frequently, and out of time  
With serious phraseology, were rents  
That in his garments opened in spite of him,  
Through which the well-accustomed eye could see  
The rottenness of his heart."

In 1839, June term, District Court, Mr. Butler moved for judgments on Lee, Babcock & Co. on 26 bonds—one motion. He demanded for this, of government, fees, \$1,860. Same month, one motion for judgments against Gibson & Co. on 44 bonds—he received \$1,893. March 1840—one motion, for judgment against Lee & Co. paid Butler fees (from public purse), \$2,514. Feb. 27, 1841, Butler, for one motion against same firm, on 46 bonds, put in his pocket, \$3,338 of fees—also \$3,198 for one motion of a like kind in April, and \$1,324, on another, made same day. In May another, and took \$1,276 fees. On 14 motions made by him for judgments on 296 merchants' bonds, his costs charged to the United States; and paid him out of the taxes raised on sugar, woollens, cottons, coffee, &c., came to \$23,087, not one dollar of which the debtors ever paid back. The Treasurer Solicitor at Washington even writes him to multiply suits for his own emolument, and for the benefit of Betts's clerk and the marshal, by increasing costs, *provided the debtors are solvent*—otherwise to make one suit serve on all the bonds due by one house. The unprincipled character who thus wrote was a Mr. Matthew Birchard, who was permitted to resign with Butler and Hoyt, his confederates.

\* Mr. Macauley puts the following description of Charles I. into Milton's mouth, not thinking it might apply tolerably well to some of the family of Old Noll also, when transplanted to America:

"If he break his word to his people, is it a sufficient defence that he keeps it to his companions? If he oppress and extort all day, shall he be held blameless because he prayeth at night and morning? If he be insatiable in plunder and revenge, shall we pass it by because in meat and drink he is temperate? If he have lived like a tyrant, shall he be forgotten because he hath died like a martyr?"

He was a man, as I think, who had such a semblance of virtues as might make his vices most dangerous. He was not a tyrant after our wonted English model. The second Richard, and the second and fourth Edwards, and the eighth Harry, were men profuse, gay, boisterous; lovers of women and of wine, of no outward sanctity or gravity. Charles was a ruler after the Italian fashion; grave, demure, of a solemn carriage, and sober diet; as constant at prayers as a priest, as heedless of oaths as an atheist."



Mr. Hoyt wrote him, Feb. 22, 1840, that "hitherto large numbers of jurors have been taken from the mercantile classes, against which course (he adds) I have remonstrated." Birchard immediately wrote the Marshal, at N. York to "endeavor to select impartial, capable men, who are totally disconnected with trade, and all its influences . . . the whole nation knows that confidence may well be placed in the integrity and judgment of honest farmers and mechanics."

Here we see the Collector, behind the screen, directing the marshal, through the government solicitor to discard whole classes of men, as jurors, in cases where that Collector would derive a vast income from a decision one way, but not the other. Was it not the interest of the old, intelligent, enterprising merchant, of established character and unsullied fame, that real attempts to defraud the revenue should be put down? Undoubtedly, for it came in contact with his interest as a fair trader—and yet Hoyt proscribed him from the jury box, doubtless because his knowledge and honor would prevent him from stooping to oppress and injure others. Hoyt would punish rogues, he says—but it is evident he dared not trust the upright dealer to judge as to who the rogues were. How such a document as the report before me must have excited the detestation and contempt of every honorable mind against Van Buren and his mean-souled cabal!

In page 265, and elsewhere, the U. S. Com'rs report to the President and Congress, that Hoyt instituted prosecutions against some eight or ten foreign houses, chiefly English importers of woollens, on the pretext that goods imported by them in Swartwout's time—in most cases 18 months or two years before the date of these prosecutions, and on which the government appraisers had decided, as being entered at fair rates—were undervalued. He harassed them in the entries of their fall importations of woollens for 1839—threatened them with the testimony of wretches who, instead of being employed in the Customs should have been whipt at the cart's tail—held them to heavy bail on pretended extra charges out of the goods they had entered and paid for years before—and actually extorted \$85,000 blood money from them, besides fees to dear Mr. Butler. Compare John Van Buren speculating out of Marcy's message with Hoyt and Butler in the Custom House. They are still the same. The knaves' compact holds good to the last, gentlemen—and if this be libel ye are lawyers, and make the most of it. *The Convention will come*, and, depend on it, honest men and true will be ripe for resurrection by the month of June, 1846. To suppose that knavery like yours could hold out much longer would be to doubt the Justice of Him who planted in the mind of man feelings of love and kindness, one to another. To return to my narrative:

Of this \$85,000 *compromise*, the chairman of the U. S. Com'rs says in his report: "The motives of the collector were mercenary and corrupt in the inception of these proceedings, and animated all his acts, to the final consummation of the official robbery which he perpetrated on his victims in open day, and with the approbation of the government at Washington, to which he ought to have been held responsible for conduct so disgraceful to the national character." Butler says, in a letter, that Hoyt "collected their various entries and invoices"—Hoyt, in the cases of Taylor, Shaw, &c., declares, "we had not possession of the original or other invoices." We compromised, says Hoyt, "because we had no evidence on which to convict the defendants,"—he even "boasts of having overreached and entrapped them by pretending to know more than he really did, and to have evidence which he had not."

Hoyt's whole course shows a disposition to quarrel with and ill-treat England, with a view probably to a war. Heaven protect our country from war any where—and, worst of all, a war where plausible speculators, financiers, land jobbers, and pretended reformers, with mantles of piety, would guide the helm of state, and share the prey of the innocent!

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## CHAPTER XXXVI.

*Hoyt, Beers, and the N. A. Trust and Banking Co. Its commencement. A grand borrowing, stock-jobbing, speculating machine, on free-trade [!] principles. Prepares bonds for \$11,000,000. Ways and means. Becomes insolvent—deals in cotton—Retains B. F. Butler. Chancery reforms. Jesse Hoyt bolsters the Bank, and speculates in a stock, which begins at \$95 and falls to \$3.*

"The North American Trust and Banking Company" is known also as Beers's bank, Mr. Joseph<sup>\*</sup> D. Beers the "financier" having been its president, until the cunning speculators who had got it up had pillaged this country, and even Europe, to the utmost extent of their ingenuity. When hopelessly, and I think, fraudulently insolvent, it passed into the hands of Mr. David Leavitt as Receiver, loaded with secret trusts made to its own officers and their associates. Mr. L. is the gentleman whose testimony bore so hard on certain sharpers and shavers of Wall street, who were convicted in the stock-jobbing trials of 1826-7; and his first report, after two years' observation, possesses evident traces of his ancient intrepidity.

Mr. Leavitt found in specie, a broken silver dollar, and no more, also President Beers's note for \$26,836, and other obligations, a water barrel, a map of *Auburn* (did some of the managers contemplate its ample state prison?), some coal, &c.

This banking company was organized, July 14, 1838, under a modification of the free trade law which Flagg, Hoyt, Phelps, &c., had clamored for, when no more money could be made by the Safety Fund speculations. On June 13th a preparatory meeting was held, consisting of Gould and Charles Hoyt, Geo. D. Strong, J. L. Graham, J. B. Murray, Thos. W. Olcott, Saml. Wilkeson of Buffalo, N. Weed, and three or four others. The chief "performer," Beers, did not appear that day. On the 13th of July, Messrs. Beers, C. Hoyt, H. Yates, J. B. Murray, and many persons of character, property, and influence, were named as directors—on the 18th, twenty-two of them met—Beers was appointed their president, the intrepid Myndert Van Schaick (who would not sit in Senate with Bishop), vice-president, John Lorimer Graham (late post-master, N.Y.), their man of law, and Walter Mead and D. E. Tyler, cashiers. Then only were subscriptions for stock opened, and between three and four millions issued, of which the (apparently self-elected) directors kept more than a third to themselves, as this, with a few votes, from others, would retain for them the direction while it might be desirable. Mr. Van Schaick retired two months after, well pleased; and it was good policy to obtain, as they did, his written approbation. He declared his belief that their investments of capital were wisely made.

Mr. Graham, in his Historical review, tells us that the bank bought a million of Arkansas stock, of which A. C. Flagg had a favorable opinion, and was ready to receive it at *par*, as good security for circulating notes. Mr. Van Buren, too, liked this Arkansas stock, and sent the gold for the \$500,000 education legacy that way, through men who had probably dealt in pitch previously, and forgotten to wash their hands. Apart from politics, what was there in Arkansas stock to justify this opinion, held by Beers, Van Buren, Woodbury, C. Hoyt, and Flagg? Another question—are we justified in believing that such was really their opinion? \$1,200,000 were also vested in Indiana state stock. Did oft repeated accounts of the folly predominant in Indiana and Illinois finance and legislation, and in their canal making, routes and management, induce purchase the second—or was there a wheel within a wheel—*knowing ones* wanted Arkansas and Indiana stock out of their hands, and aided in contriving this contrivance for the purpose? A simple man would think they could have found more judicious specie investments, but perhaps part of their capital was *in reality*, paid in such obligations. Mr. Leavitt shows us that neither of those causes had had much effect in throwing these stocks into the hands of Beers, Graham & Co., but that they bought them *on credit on speculation, hoping to borrow money* for their own purposes by pledging or selling them again!! They paid them, he says, with their own printed promises to pay, with interest, long after date! They next, in '38, '39, and '40, issued negotiable certificates of deposits, to the amount of millions, purporting *on their face* to be issued by the bank, and many of them payable in London. Of these, a great part were made payable to Hallett (clerk of the Superior Court),

\* The stock-brokers have evinced a keen appetite for the control of 'Trust Companies.' Mr. R. H. Nevins, Broker, Wall Street, writes to Mr. Jesse Hoyt, at Albany, dated New York, 14th Jan'y, 1831, as follows;

"Dear Hoyt—I must trouble you to let me know, whether our Banks, now being willing to take renewals of their Charters on the terms offered to them last winter, will all be able to get them? It was predicted by some persons that some of them might not have another chance.

And as to a new Trust Co.—do you think that an application from a very respectable list of petitioners will succeed in getting a Charter similar to the one granted at the last session?

I shall be much obliged for your opinion on the above, or on any other subjects that may have to do with Wall street. I am willing to run the risk of your opinions. I hold considerable Life and Trust Co. Stock, which will rise or fall probably when the question is settled about other charters.

Yours very sincerely,

R. H. NEVINS."

Graham, (their attorney,) Talmage (now Mayor of Brooklyn), and other officers of their association. They sold what they could everywhere, to raise the wind—and this base, pawnbroking concern they had the assurance to call a *bank* and an American trust, with paid up capital!! Beers, their guide, was the person of whom Bennett in his Herald once put out a *puff*, about his retiring in Sept. '35, with a fortune of a million of dollars, the proceeds of his industry, and so forth.

In the winter of 1839-40, this patent borrowing machine, with a capital to lend, found its promises coming in for payment, its bought stocks declining in value, and its cash very low indeed; and among other schemes to keep afloat it sought the aid of Martin Van Buren, through his commercial grand vizier, Jesse Hoyt. At the same time, 900 bonds FOR ELEVEN MILLIONS OF DOLLARS, in promises to pay to Walter Mead the cashier, FIVE YEARS AFTER February, 1840, were signed by Beers, as president, and while yet in the company's hands, bonds and mortgages were executed from the company to Graham and others its associates, as a pretended security for payment—and a million trust deed was filled up, the third party being Mr. Horsley Palmer of the Bank of England, and others in Europe. Many more capers were cut with public credulity, but I have not room to notice them. Some of their bonds they paid to their creditors as cash—they handed them to others as "a collateral security"—for instance, to T. E. Davis who had LENT them his note for \$79,000. To Col. James B. Murray,\* a character much mixed up with American stock-jobbing, and a regular signer of Swartwout's Custom House recommendations, they gave \$30,000 to try to dispose of in Europe, for his own account, he having been their great gun there! In the course of 1840, Talmage, the Brooklyn Mayor, succeeded Beers as president, and he also signed lots of trumpery due-bills, which they called post notes, certificates, bonds, &c.

In May, 1840, a State law was passed, forbidding such associations as this from issuing any of their bills or notes unless payable on demand, and without interest. This was wisely intended to protect the public from such wholesome knavery as I have adverted to. In their statements for the public eye, as required by statute, they had concealed much of their trust conveying, due-bill puffing machinery—and found no difficulty, it seems, to persuade learned lawyers, "for a consideration," to be of, and declare their opinion, that the statute forbidding their post-note trade did not intend to forbid it at all, just as learned lawyers were found many years ago, of opinion, that although the U. S. Constitution expressly forbids the States to issue promissory notes, as cash, or tamper with the currency, it did not mean to do that, by any means.

When Mr. Leavitt was appointed Receiver, he found Mr. Graham and others managing this insolvent institution as trustees. The very men through whose management the bank was broken down, yet stood by the wreck they had caused, and retained control of its whole property! Who ever heard of a reckless pilot and engineer landing a North River boat high and dry on the rocks, and afterwards retaining their control, in spite of all concerned, "by previous legal agreement?" It appeared that \$9,000 a year were charged for attending to two of the eight trusts. The Company had done a little, and but little, as bankers—as stock-jobbers a great deal. They were very needy or very greedy, for they kept borrowing, at ruinous rates, almost continually. Beers, and leeches like him, sucked the very life's blood of the institution.

Postmaster Graham and his two law firms charged and got about \$44,000 for trouble, besides fees, said to amount to as much more.

The Company bought cotton for \$640,000 here, and sold it at \$90,000 loss in England, and also sold their promises to pay for what they would fetch anywhere. Of course, they must have expected to fail. Mr. B. F. Butler appears to have been the senior counsel of "the trustees." None more fit. When they got in Chancery Butler would feel quite at home; and if he did not keep Leavitt some

\* Col. James B. Murray may have been conscientiously opposed to Mr. Madison's measures in 1812. Many there were who held Napoleon to be as regardless of neutral rights as George 3d. My fault to him is that he was a speculator, a dangerous character because a fashionable, polite stock-jobber. He was in service in 1812, was made a Lieutenant-colonel by Tompkins in 1814, with a very complimentary letter, and appointed in 1815 to the command of the Governor's Guard. I believe he has been an alderman of New York. He was sent to Albany, with Jeromus Johnson, Prosper M. Wetmore, John L. Graham, Steph. Allen, Gld. Lee, and others, on behalf of 'the party' in New York, to persuade Marcy and the Legislature in 1837 to sanction the bankruptcy of the banks, deposits and all—and shrewdly selected as the agent to represent in Europe the wishes of Beers' vast stock-jobbing machine.

time at bay there, and delay a decision in *due form of law*, I mistake the man. Graham, in his statement, assures the public that Messrs. Butler, &c., after a full investigation, "have a perfect conviction" that the company acted in *good faith* throughout. So have I—on the Washington and Warren Bank principle. The Receiver consulted Judge Sutherland, Samuel Stevens, H. Denio, &c., who agree in sentiment that the trusts are all void and unlawful. Sutherland's opinion is a very able, clear and convincing document. In January, 1841, there were about 500 shareholders in America, and large claims in Europe. Did they ever pretend to divide profits? A Committee, in November, 1840, showed that Beers, while president, had played the stock-jobber on a large scale, and contrived to have his own account "very complicated"—but they *hoped* to hold their own with him—a hard case, truly. No doubt, however, but *pious* Mr. Butler will make all straight. Why is not his *opinion* paraded in print, like the others? Again—Does he really believe that assignments made by an insolvent bank, like this, to secure future advances, are lawful?

Thomas G. Talmage was one of its first directors, and a member of its first committee of finance. As its last president, he followed the hearse when consumption had left of its remains little more than a broken dollar and water barrel. In his appeal to the public, he owns that he entered the concern as a means of carrying on organized stock-jobbing, money borrowing, post note issuing—a *la* Beers. His statement in the newspapers is by far the most favorable I have yet seen—and if he is correct, the stockholders will yet recover much of their capital. It would be well if the Legislature this winter would appoint a capable and faithful committee to look into the operation of the court of chancery, take the evidence of scientific and practical men, and print the whole for distribution before the Convention meet. There is surely much that is injurious in following usages (as Blackstone says) derived "from the imperial and pontifical formularies introduced by their clerical chancellors." If our "natives" would turn their batteries against the foreign laws adopted *en masse* from worn out monarchies, future ages might have cause to honor and bless their memories. Why did Mr. Butler and his revising friends in the legislature, ever consent that a free democracy should thus define the powers of our Chancery Court, in the Statute—"They are co-extensive with the powers and jurisdictions of the Court of Chancery in England," except, &c.

Mr. Jesse Hoyt lent this company, at one time or another, at least a million of dollars, of the Custom House funds, in gold and silver, at a time when government had to issue its notes of hand, bearing interest, to the public creditors, and when he was affirming that he had no public funds on hand! These facts were noticed in the journals of the day, and in letters of complaint to Washington—and as Mr. Van Buren and his cabinet remained silent, it may be inferred that Mr. Hoyt acted by direct or implied orders. For the money so lent, the public received no interest—but the directors gave their bond to Hoyt for repayment, with some Indiana stock as additional security. As he was a regular stock-jobber, it is presumed that M<sup>c</sup>Jimsey (his brother-in-law and one of his sureties), and other brokers, bought and sold the stock of this bank for him, according as his loans to it or drafts from it affected the value of the shares. What other compensation he got is as yet a secret. M<sup>c</sup>Jimsey refused to testify. Cash commanded, in these times, in Wall Street, a heavy bonus on loans. Hoyt knew that he retained hundreds of thousands of dollars, according to Poindexter, of which no returns were made to the Treasury—and by the interest may have cleared \$60,000 a year, instead of \$40,000. His pecuniary situation may be now artfully veiled. Perhaps he will be next heard of through the Morris Canal Co. Oct 10th, 1839, N. A. T. shares were sold at 52—two days after at 45, and the bank was then due Hoyt \$175,000. On the 20th July shares had been up at 79—in December they were down at 35. In April, 1840, Hoyt was a creditor for \$250,000, and the stock had risen to 56—in August he had withdrawn all but \$13,000, and shares sold for but 26. In November, 1841 (I quote the Evening Post), the shares of the N. A. Trust Co. would fetch but \$3, which, within three years, had commanded \$95.

## CHAPTER XXXVII.

*Difficulties which surround the upright merchant in New York. Tariffs—Congress Laws—Enormous Law Costs—Protests—Appraisers—Politics—Accommodations—Men of Straw—Our Currency—The Custom House—Employment of mean, jobbing Politicians—Abuse—Smuggling and evasions of Revenue Laws—Surveyor's Public Locks—Drawbacks—Foreign Spices exported—Conclusion.*

An American merchant, perhaps more especially an importer at New York, who deals in dutiable articles, is more to be pitied than envied. An honest, fair and manly course of dealing is assuredly not his passport to independence, or a competence, even with real capital, undoubted credit, and great experience. I will explain why this is so.

*First.* The tariffs or rates of taxation on importations are exceedingly changeable, and that, too, sometimes very suddenly.

*Second.* The laws of Congress imposing duties are often differently construed in different Custom Houses. For instance, a Boston merchant may have imported heavily, and been charged 25 per cent.—the same article brought by a New York trader may have paid 50. Both charges may have been returned to the indolent political financiers at Washington, and approved of. When the New Yorker finds himself undersold at Boston, he inquires, ascertains the cause, complains at New York and Washington—but if he did not enter a protest at the time of payment here, he loses the difference. And how could he know that there would be two rates? Only a few weeks since, Collector Lawrence issued a notice that no duties would be refunded unless the importer had formally protested when he paid his money, stating his reasons. In such a case as I have instanced, how could he state what he did not know? And why should the justification of an error be persisted in, to his injury, and his right refused him, on a dishonest, legal quibble?

*Third.* But it may be said—Go to law with the United States. Even Jesse Hoyt admits, that if the Collector seize goods valued at \$400, or less, no matter how unjust the seizure may be, it were better for the merchant to submit than suffer under the enormous law costs and delays of the United States' Courts.

*Fourth.* A number of merchants import each of them the same kind of goods. The Collector says the duty is so much per cent. Some demur and protest—others pay quietly. One of them tries the case at law, and the Collector is found to be wrong. Those who protested may get back the duty overcharged—those who did not, are, by Butler and Lawrence's rule, shut out. What could be more iniquitous than such a rule? In this and the second statement of my series, I am not offering hypothetical cases. Secretaries of the Treasury and Comptrollers, and their subs, pop in and out of office, and Collectors and Comptrollers here, are up and down, like Jack in a box. Every new man has a new way with him.

*Fifth.* A set of appraisers are selected by the President; and if the United States' Senate find them competent, on evidence to them satisfactory, they go into office, with a little army of clerks and assistants of all sorts. It is their duty to say whether the invoice and the goods correspond—whether the importer has rated them too low or too high—and to fix the value. To aid them in any case that may require it, the most respectable referees may be selected, and every possible means taken to arrive at a fair valuation. What more can an importer do than pay the rates deemed fair by umpires selected by the highest power in the Union, the treaty making power? Yet it is a truth—Who does not feel the deep disgrace of the avowal? Most true it is, that after all this has been done, immense quantities of goods have been seized in the warehouses of the merchants here, and even followed to Philadelphia—the parties stopped from effecting sales—their credit broken—their selves involved in law—and all this to extort from their necessities or their fears more money in taxes than the umpire of the taxing power declared to be just. The very power that declares to you in a circular that no monies paid in duties shall ever be refunded, no matter how wrongfully paid, unless you protest against the wrong when paying—selects its umpire, makes no protest, gives a receipt for the duties you have paid—and six months after, sends the thief-takers and its deputies to pull down your goods off the shelves, on the pretext that you have forfeited all, by not paying more than government asked!

*Sixth.* John Manly begins business in Pine street, with a suitable capital and education—but is no trading politician. Solomon Sneak commences in same line right opposite, with ill-deserved credit and no capital at all—but he is “a regular democrat of our stamp,” goes with “the party” at all meetings, electioneers for them now and then, possesses a secret or two worth having, and is their busy-body, or one of that class. Prosper Piety\* is in the same position as Solomon, except that he and his partner are worth less than nothing, and clothed in religion as with a mantle. Will not the two latter be able to speculate, borrow, indorse, bargain, buy, sell, enter goods low, and actually take the bread out of Manly’s mouth, through enormous discounts, loans on fancy stocks, easily-entered invoices, a delusive appearance, and a false credit? Is it not an every day occurrence? Think of the deposits as they were used in the Manhattan and other Banks. Were not the monies raised for duties from many merchants and handed over to a favorite few ‘of our politics’ to speculate with, some of these few men of as little credit or character as Jesse Hoyt when he had the Custom House thrown to him as a dog gets a bone to pick; clerks, merchants and all! Can commerce thrive thus served?

*Seventh.* What can be more ruinous to the fair-dealing merchant than a currency such as ours, varying hourly and everywhere—vacillating between United States Bank notes redeemable in specie and safety fund N. York notes, of all kinds and qualities, payable; unless you want the money, in cash; but in case of a run, the legislature instantly legalizes no payment at all, leaving you at liberty to buy their specie of their broker with their own notes; or, in other cases, to wait till their hundreds of thousands of dollars of country over-issues shall be redeemed, years hence it may be, by A. C. Flagg our sagacious comptroller.

That any fifty or sixty capitalists who, by buying up more than half the stock of a new national bank, chartered on the British corporation system, or getting hold of U. S. securities and investing them in its stock at commencement, should they by this means become the bankers and treasurers of the Union—that their ‘promises to pay’ should be a legal tender to every civil or military person employed by the U. S. in payment of salaries, and at every custom house and post-office for revenue—that these fifty or sixty persons should elect the bank directors, make the money and issue the money—lend to whom they will or refuse at pleasure—be lenient to other banks, or, at pleasure, harass them to pay up the last dollar—and, should the states severally agree, create 10 or 100 associate banks, to be called branches—half of these 50 or 60 men, perhaps, the agents of strangers—that such a bank as this should be again set up, and its managers made the ‘regulators’ of the credit and currency of the country, would be no final settlement of the question. Republicans would oppose it on principle—office-seekers would make ‘repeal’ their war cry, and the cause of the evils which make justice a reproach, be untouched.

*Eighth.* The merchant has to do—not with regular business men of high character, but with violent partisans,† rowdies, reprobates, political hacks paid with places, bankrupts, ignorance in one, low cunning in another, treachery in a third. Hoyt, Swartwout, Price, and Butler speak for themselves—but Hoyt publishes Deputy Collector Lyon as corrupt and unworthy—he declares the appraisers of his time to be utterly ignorant—he sends Deputy Collector James Campbell to convict merchants, after this Campbell had acknowledged on oath his own infamy as being bribed and perjured—Joseph R. Bleecker is converted from a cashier and deputy collector into an informer for hire, receiving presents from Ives, or rather taking credit with an understanding, &c. Entry Clerk and others, take pay from the State on the one hand, and illegal fees from the importer on the other, knowing them to be illegal.

\* Even Englishmen felt the weight of Hoyt’s official power, in England. A Mr. Priestley consigned, from Liverpool, goods, value \$25,000, to J. W. Corlies. Two years after (1841) they were in custody—no trial had been obtained. Priestley was broken up in consequence, and had to assign his estate to trustees. It is a terrible system that permits foreign goods, correctly invoiced as to quantity, to be seized on a pretext that they are invoiced too low—and that too with umpires chosen by the U. S. whom the importer is willing to abide by if government wish it.

† For the average character of Custom House Clerks and Officers, see Reports of U. S. Com’rs to President, 1841–2, Doc. 312—and Jesse Hoyt’s Letters—also the *Morning News*, N. Y., by O’Sullivan, 1st 6 months of 1845, and the N. Y. *Evening Post* generally. The last named print, June 30, 1845, says—“The Custom House here has for some years past been an intolerable engine of oppression, a mischievous ran of petty tyranny, a corrupting source of iniquity.” Yet this dishonest, plausible paper lauded and held Jesse Hoyt!

*Ninth.* It is often asserted, and I believe it, on all the information and experience of thirty years' acquaintance with commerce, that, taking the whole State of New York, an immense proportion of the dutiable articles pay no duty at all. Among the hosts of officers of one sort or other, how few are selected for their intelligence and integrity!—some such there are—just and honorable men—but the majority are street politicians—and Mr. Lawrence, as I have described him, is their appropriate chief. Are such the men to prevent smuggling—to protect, on our frontiers, and in such a port as this, the fair trader?

*Tenth.* There are a great number of cellars, stores, and other places, for keeping bonded goods—articles for exportation, or that may be required for domestic use. With the keys in the hands of street politicians, bar room orators, spring and fall electioneers, stock-jobbers, and speculators—may not genuine liquors be stored, the spirit exchanged, and a pretended foreign article exported? The system in use, as I have seen it, would tempt even brandy and gin dealers to collusion. Some time since the United States exported in seven years, subject to drawback (that is, a return of the duties), a far larger quantity of foreign spices than had been imported and paid duty. I say nothing of home consumption. Here was the miracle of the loaves and fishes, in a new form—but were there no wooden nutmegs? What room is there for fair trade under such a system!

*Eleventh,* and lastly. The merchant is not only puzzled by contradictory reports of cotton crops in Georgia and grain crops in England, and of new tariffs at Washington, London, Paris, and Dantzic, but he has to study politics as a science in order that he may be enabled to form an estimate of the value of the blasts of approaching war which blow continually in his ears from some quarter or other. War for Texas, for Mexico, for Canada, for Oregon, for part of Maine, for honor, for gain, for glory, for slavery or for freedom, or some cause or other, is an unceasing cry—and beyond the pretext it affords for upholding a vast naval and military force, with its contracts and corrupt patronage, many know not what to make of it. Perfect and of thirty years' continuance as peace now is, two-thirds of the national expenditure is upon warlike objects, and over 20,000 persons are in continual public pay as fighting men, or connected with war. The national war tax alone is nearly three millions of dollars for the State of New York, besides a loss of the services of thousands of valuable artisans and farmers. In 1839 there were 107 naval captains and commanders, and in 1841 an increase of 57, all on pay. Lt. Maury says that the Ohio, ship of the line, cost under \$300,000, and that nearly \$600,000 were charged in 1839, merely for repairing her. The checks of vetoes, departments, boards, and inquiring committees are found to be no checks at all, unless the people who buy goods and pay taxes to the Hoyts and Swartwouts of the day can be waked up a little. Few men have more steadily opposed extravagant expenditures than the writer, and even natives are willing to permit adopted citizens to write against abuses, so that they avoid mentioning the N. Y. corporation expenditure of 1843-4. What the country wants is peace, a free convention, and a people alive to reform and improvement. I have changed my mind both as to men and measures, in some degree, of late years, and must admit that there is truth in Lord Brougham's remark, that 'a rigid devotion to party forms one of the most sacred aristocratic mysteries,' and that politicians, when in power, ought never to forget the prayer (Matthew VI and 13), 'Lead us not into temptation but deliver us from evil.'

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There are, no doubt, many remarkable incidents in the lives of Messrs. Hoyt and Butler, which the compiler of this work has not had leisure properly to notice, nor even advert to—but in a second edition, or through some other suitable channel of communication with the public, it is his intention to submit copies of several interesting documents (before the sitting of the Convention, should it be determined on), when he deems it advisable for the present to withhold. His chief object, thus far, was to show the necessity which exists for checking the career of a faction of dissemblers who are unfriendly to the vital principle of elective institutions.











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